

UNOFFICIAL VERSION

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WEDNESDAY, MAY 1, 2019

THIRTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 1:30 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Senator Haile.

PLEDGE OF ALLEGIANCE

Senator Reeves led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Reeves led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 2, 316, 326, 494, 498, 502, 518, 524, 565, 567, 605, 620, 664, 714, 729, 740, 745, 786, 867, 909, 982, 1187, 1232, 1264, 1274, 1425, 1441, 1533, 1536, 1542 and 1543** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 2 -- Sentencing -- As introduced, enacts the "JaJuan Latham Act," which increases the penalty for an aggravated assault or homicide that occurs by a person discharging a firearm from within a motor vehicle and the victim is a minor at the time of the offense. Amends TCA Title 39, Chapter 13, Part 1 and Title 39, Chapter 13, Part 2.

House Bill No. 316 -- Firefighters -- As introduced, creates a presumption that certain conditions or impairments of full-time firefighters caused by certain cancers occurred in the course of

employment unless the contrary is shown by competent medical evidence. Amends TCA Title 7, Chapter 51, Part 2.

House Bill No. 326 -- Taxes -- As introduced, authorizes electronic transmission of the angel investor tax credit report by the Tennessee technology development corporation. Amends TCA Title 67; Chapter 72 of the Public Acts of 2011; Chapter 193 of the Public Acts of 2017; Chapter 273 of the Public Acts of 2015; Chapter 452 of the Public Acts of 2017; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007.

House Bill No. 494 -- Taxes, Privilege -- As introduced, eliminates the special privilege tax on ammunition. Amends TCA Section 8-8-201 and Title 70, Chapter 3.

House Bill No. 498 -- TennCare -- As introduced, reduces the time period from 30 days to 15 days for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application. Amends TCA Title 4; Title 33; Title 56; Title 68 and Title 71.

House Bill No. 502 -- Criminal Offenses -- As introduced, enhances the penalty for destruction or alteration of governmental records from a Class A misdemeanor to a Class E felony. Amends TCA Title 39.

House Bill No. 518 -- Firefighters -- As introduced, creates a program managed by the commissioner of commerce and insurance to annually award grants to volunteer fire departments for the purchase of firefighting equipment or to meet local match requirements for federal grants for the purchase of firefighting equipment and training. Amends TCA Title 68, Chapter 102.

House Bill No. 524 -- Business and Commerce -- As introduced, deletes provision that required the office of small business advocate to report the status of the office's web page project no later than February 15, 2013. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 47; Title 48; Title 61 and Title 67.

House Bill No. 565 -- Statutes of Limitations and Repose -- As introduced, extends civil and criminal statutes of limitation for certain acts of abuse against minors; increases the penalty for intentional failure to report child abuse or child sexual abuse. Amends TCA Title 28; Title 37 and Title 40.

House Bill No. 567 -- Education -- As introduced, directs the Tennessee School for the Deaf, together with the West Tennessee School for the Deaf, to establish a two-year deaf mentor pilot project to assist families and agencies in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind. Amends TCA Title 49, Chapter 10, Part 9.

House Bill No. 605 -- Taxes -- As introduced, requires the commissioner of revenue to make a thorough study and investigation of the tax laws of other states. Amends TCA Title 4; Title 65 and Title 67.

House Bill No. 620 -- Taxes, Sales -- As introduced, requires that costs incurred in connection with a border region retail tourism development district are deemed approved if the commissioner of revenue has not made an apportionment of sales tax revenue within 90 days of the end of the fiscal year for payment of the costs; makes other related revisions to the Border Region Retail Tourism Development District Act. Amends TCA Title 7, Chapter 40.

House Bill No. 664 -- Education -- As introduced, requires students expelled in grades seven through 12 to attend alternative school; requires a governing body of a public charter school to establish an alternative educational setting for students suspended from the regular school program; prohibits a charter school from expelling a student from school attendance until after the student has been placed in an alternative educational setting. Amends TCA Title 49, Chapter 13 and Title 49, Chapter 6.

House Bill No. 714 -- Driver Licenses -- As introduced, authorizes the commissioner of safety to issue farm-related service industry employee restricted commercial driver licenses to persons who meet certain qualifications. Amends TCA Title 43 and Title 55.

House Bill No. 729 -- Courts -- As introduced, sets the minimum compensation payable to officially designated and auxiliary court reporters designated as licensed court reporters by the Tennessee board of court reporting at the rates of \$350 per full-day appearance and \$175 per half-day appearance. Amends TCA Title 8, Chapter 23; Title 20, Chapter 9, Part 6; Title 20, Chapter 9, Part 1 and Title 40, Chapter 14, Part 3.

House Bill No. 740 -- Education -- As introduced, replaces the department of economic and community development with the Tennessee higher education commission as the state agency charged with administering grants related to work-based learning programs; revises related provisions. Amends TCA Title 49, Chapter 11; Title 49, Chapter 7 and Title 50.

House Bill No. 745 -- Scholarships and Financial Aid -- As introduced, increases, from \$600 to \$1,000, the amount of a Tennessee middle college scholarship awarded each semester to an eligible student for full-time attendance. Amends TCA Title 49, Chapter 4, Part 9.

House Bill No. 786 -- Pharmacy, Pharmacists -- As introduced, makes various changes to law concerning pharmacy benefits managers; requires the comptroller of the treasury to perform an annual audit of all pharmacy benefits managers providing services funded by this state. Amends TCA Title 56, Chapter 7, Part 31.

House Bill No. 867 -- Child Abuse -- As introduced, requires the commissioner of children's services to provide a report to the district attorney general with jurisdiction following a fatality or near fatality of certain children; requires an immediate investigation into a report of child abuse from a party tasked with the education or health and welfare of the child. Amends TCA Title 37.

House Bill No. 909 -- Elder Abuse -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act of 2019." Amends TCA Title 39; Title 40 and Title 71.

House Bill No. 982 -- Education -- As introduced, requires the safety instruction provided by a school to include information about the proper and safe usage of dockless electric scooters, if such scooters are available for use in the area around the school. Amends TCA Title 49.

House Bill No. 1187 -- Veterans -- As enacted, eliminates the fee for interment of an eligible veteran's spouse in a state veterans' cemetery. Amends TCA Title 46, Chapter 6.

House Bill No. 1232 -- Lobbying, Lobbyists -- As introduced, reduces the amount of time from 30 to 21 days a lobbyist or an employer of a lobbyist has to notify the Tennessee ethics commission following an in-state event to which invitations were extended to the entire membership of the general assembly and thus not subject to the prohibition on gifts. Amends TCA Title 2 and Title 3.

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House Bill No. 1264 -- Handgun Permits -- As introduced, creates a concealed handgun carry permit, which allows a person to carry a concealed handgun; redesignates the existing handgun carry permit as an enhanced handgun carry permit. Amends TCA Title 10; Title 33; Title 38 and Title 39.

House Bill No. 1274 -- Attorney General and Reporter -- As introduced, expands the attorney general and reporter's duties to include representation of an LEA or certain LEA employees in a court or administrative tribunal arising out of the adoption of a policy requiring students, faculty, and staff to utilize the restroom, locker room, or other facility that corresponds to that individual's biological sex. Amends TCA Title 8, Chapter 6.

House Bill No. 1425 -- Scholarships and Financial Aid -- As introduced, increases from one to two the number of additional dual enrollment courses a student may take under a dual enrollment grant under certain circumstances; allows an eligible student to receive a dual enrollment grant for no more than 10 courses. Amends TCA Title 49.

House Bill No. 1441 -- Taxes, Sales -- As introduced, authorizes the commissioner of revenue to give notice of the amount of any sales and use tax delinquency by certified mail to all persons having in their possession or under their control any credits or other personal property belonging to the dealer who is delinquent. Amends TCA Title 67; Title 68 and Title 69.

House Bill No. 1533 -- Rhea County -- Subject to local approval, eliminates the tax assessor's duty of collecting a fee for services in placing a stamp on a deed. Amends Chapter 896 of the Private Acts of 1949.

House Bill No. 1536 -- Winchester -- Subject to local approval, rewrites city charter. Amends Chapter 23 of the Private Acts of 2011.

House Bill No. 1542 -- Scott County -- Subject to local approval, imposes a \$25.00 litigation tax on each case filed in circuit, general sessions, and juvenile courts in the county to fund the Scott County Family Justice Center. Amends Chapter 247 of the Private Acts of 1982.

House Bill No. 1543 -- Dickson -- Subject to local approval, creates a municipal court. Amends Chapter 274 of the Private Acts of 1924; as amended.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 616 through 628, 630 and 631**; and **Senate Resolution No. 83** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 616 by Senator Bailey.
Memorials, Death -- Dr. James Lee Smith.

Senate Joint Resolution No. 617 by Senator Southerland.
Memorials, Recognition -- Layton Werther, State Leadership and Skills Conference of SkillsUSA.

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Senate Joint Resolution No. 618 by Senator Southerland.

Memorials, Recognition -- Cody Coffey, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 619 by Senator Southerland.

Memorials, Recognition -- Matthew Emerick, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 620 by Senator Southerland.

Memorials, Recognition -- Jacob Ellison, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 621 by Senator Southerland.

Memorials, Recognition -- Alejandra Ocampo, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 622 by Senator Southerland.

Memorials, Recognition -- Walters State Community College Phi Theta Kappa.

Senate Joint Resolution No. 623 by Senator Southerland.

Memorials, Recognition -- A.J. Fleming, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 624 by Senator Southerland.

Memorials, Recognition -- Whitten Williams, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 625 by Senator Southerland.

Memorials, Recognition -- Chase Barger, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 626 by Senator Southerland.

Memorials, Recognition -- Adia Bulawa, Appalachian Highlands Twenty Under 20.

Senate Joint Resolution No. 627 by Senator Massey.

Memorials, Recognition -- Asheville Highway Animal Hospital, 40th Anniversary.

Senate Joint Resolution No. 628 by Senator Bailey.

Memorials, Academic Achievement -- Kami Grace Pullem, Valedictorian, White County High School.

Senate Joint Resolution No. 630 by Senator McNally.

Memorials, Professional Achievement -- Ellen Reid, 2019 Pulitzer Prize in music.

Senate Joint Resolution No. 631 by Senator McNally.

Memorials, Recognition -- Cold War Patriots.

Senate Resolution No. 83 by Senator McNally.

Memorials, Death -- Mira Ryczke Kimmelman.

MOTION

Senator Johnson moved, pursuant to Rule 21, **House Joint Resolutions Nos. 625 through 647; Senate Joint Resolutions Nos. 613 and 614;** and **Senate Resolutions Nos. 81 and 82** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 625 -- Memorials, Recognition -- Hamilton County Sheriff's Office, 200th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 625 to the Committee on Calendar.

House Joint Resolution No. 626 -- Memorials, Interns -- Rodrick Douglas.

The Speaker announced that he had referred House Joint Resolution No. 626 to the Committee on Calendar.

House Joint Resolution No. 627 -- Memorials, Academic Achievement -- Elizabeth Brawner, Valedictorian, Bartlett High School.

The Speaker announced that he had referred House Joint Resolution No. 627 to the Committee on Calendar.

House Joint Resolution No. 628 -- Memorials, Academic Achievement -- Walter Price, Salutatorian, Bartlett High School.

The Speaker announced that he had referred House Joint Resolution No. 628 to the Committee on Calendar.

House Joint Resolution No. 629 -- Memorials, Recognition -- City of Memphis, Bicentennial.

The Speaker announced that he had referred House Joint Resolution No. 629 to the Committee on Calendar.

House Joint Resolution No. 630 -- Memorials, Recognition -- Memphis Light, Gas and Water, 80th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 630 to the Committee on Calendar.

House Joint Resolution No. 631 -- Memorials, Recognition -- Shelby County, Bicentennial.

The Speaker announced that he had referred House Joint Resolution No. 631 to the Committee on Calendar.

House Joint Resolution No. 632 -- Memorials, Professional Achievement -- Grant Summers, 2019 president of Tennessee Road Builders Association.

The Speaker announced that he had referred House Joint Resolution No. 632 to the Committee on Calendar.

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House Joint Resolution No. 633 -- Memorials, Academic Achievement -- Sarah Jane Henry, Valedictorian, Trousdale County High School.

The Speaker announced that he had referred House Joint Resolution No. 633 to the Committee on Calendar.

House Joint Resolution No. 634 -- Memorials, Academic Achievement -- Ann Marie Henry, Salutatorian, Trousdale County High School.

The Speaker announced that he had referred House Joint Resolution No. 634 to the Committee on Calendar.

House Joint Resolution No. 635 -- Memorials, Retirement -- Anita Dyer.

The Speaker announced that he had referred House Joint Resolution No. 635 to the Committee on Calendar.

House Joint Resolution No. 636 -- Memorials, Retirement -- State Trooper Joe Wynne.

The Speaker announced that he had referred House Joint Resolution No. 636 to the Committee on Calendar.

House Joint Resolution No. 637 -- Memorials, Academic Achievement -- Mackenzie McCall, Salutatorian, Bolton High School.

The Speaker announced that he had referred House Joint Resolution No. 637 to the Committee on Calendar.

House Joint Resolution No. 638 -- Memorials, Academic Achievement -- Bryanna Fayne, Salutatorian, Bolton High School.

The Speaker announced that he had referred House Joint Resolution No. 638 to the Committee on Calendar.

House Joint Resolution No. 639 -- Memorials, Academic Achievement -- Britney Le, Valedictorian, Bolton High School.

The Speaker announced that he had referred House Joint Resolution No. 639 to the Committee on Calendar.

House Joint Resolution No. 640 -- Memorials, Academic Achievement -- Lindsay Brooke Anderson, Salutatorian, Franklin Road Christian School.

The Speaker announced that he had referred House Joint Resolution No. 640 to the Committee on Calendar.

House Joint Resolution No. 641 -- Memorials, Academic Achievement -- Gabrielle Daye Copeland, Valedictorian, Franklin Road Christian School.

The Speaker announced that he had referred House Joint Resolution No. 641 to the Committee on Calendar.

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House Joint Resolution No. 642 -- Memorials, Death -- Henry Cox "Hank" McCall, Jr.

The Speaker announced that he had referred House Joint Resolution No. 642 to the Committee on Calendar.

House Joint Resolution No. 643 -- Memorials, Recognition -- Joshua Cook.

The Speaker announced that he had referred House Joint Resolution No. 643 to the Committee on Calendar.

House Joint Resolution No. 644 -- Memorials, Retirement -- Helen Ford.

The Speaker announced that he had referred House Joint Resolution No. 644 to the Committee on Calendar.

House Joint Resolution No. 645 -- Memorials, Recognition -- Wally's Restaurant in East Ridge.

The Speaker announced that he had referred House Joint Resolution No. 645 to the Committee on Calendar.

House Joint Resolution No. 646 -- Memorials, Public Service -- Metro Nashville Councilman Bill Pridemore.

The Speaker announced that he had referred House Joint Resolution No. 646 to the Committee on Calendar.

House Joint Resolution No. 647 -- Memorials, Retirement -- Steve North.

The Speaker announced that he had referred House Joint Resolution No. 647 to the Committee on Calendar.

Senate Joint Resolution No. 613 -- Memorials, Interns -- Joseph Wampler.

The Speaker announced that he had referred Senate Joint Resolution No. 613 to the Committee on Calendar.

Senate Joint Resolution No. 614 -- Memorials, Public Service -- Matt Anderson.

The Speaker announced that he had referred Senate Joint Resolution No. 614 to the Committee on Calendar.

Senate Resolution No. 81 -- Memorials, Death -- John Calvin George.

The Speaker announced that he had referred Senate Resolution No. 81 to the Committee on Calendar.

Senate Resolution No. 82 -- Memorials, Personal Occasion -- Luther & Alma Vaughan, 70th Wedding Anniversary.

The Speaker announced that he had referred Senate Resolution No. 82 to the Committee on Calendar.

NOTICES

MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 141, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 312, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 648, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1107, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1280. The House nonconcurred in Senate Amendment No. 1.

TAMMY LETZLER
Chief Clerk

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MESSAGE FROM THE HOUSE

April 30, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 510. The House acceded to the request of the Senate for the appointment of a Conference Committee. The Speaker appointed a Conference Committee composed of Reps. Smith, Sexton (Cumb) and Daniel to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on Senate Bill No. 510.

TAMMY LETZLER
Chief Clerk

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 939/SENATE BILL NO. 795**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 471/SENATE BILL NO. 132**

The report was received and filed with the Clerk.

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 939. The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER
Chief Clerk

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 939/SENATE BILL NO. 795**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 939 (Senate Bill No. 795) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following language as a new part:

49-6-2601. This part shall be known and may be cited as the "Tennessee Education Savings Account Pilot Program."

49-6-2602.

As used in this part, unless the context otherwise requires:

(1) "Department" means the department of education;

(2) "Eligible postsecondary institution" means:

(A) An institution operated by:

(i) The board of trustees of the University of Tennessee;

(ii) The board of regents of the state university and community college system; or

(iii) A local governing board of trustees of a state university in this state; or

(B) A private postsecondary institution accredited by an accrediting organization approved by the state board of education;

(3) "Eligible student" means a resident of this state who:

(A)(i) Was previously enrolled in and attended a Tennessee public school for the one (1) full school year immediately preceding the school year for which the student receives an education savings account;

(ii) Is eligible for the first time to enroll in a Tennessee school; or

(iii) Received an education savings account in the previous school year;

(B) Is a student in any of the grades kindergarten through twelve (K-12);

(C)(i) Is zoned to attend a school in an LEA, excluding the achievement school district (ASD), with ten (10) or more schools:

(a) Identified as priority schools in 2015, as defined by the state's accountability system pursuant to § 49-1-602;

(b) Among the bottom ten percent (10%) of schools, as identified by the department in 2017 in accordance with § 49-1-602(b)(3); and

(c) Identified as priority schools in 2018, as defined by the state's accountability system pursuant to § 49-1-602; or

(ii) Is zoned to attend a school that is in the ASD on the effective date of this act; and

(D) Is a member of a household with an annual income for the previous year that does not exceed twice the federal income eligibility guidelines for free lunch;

(4) "ESA" means an education savings account created by this part;

(5) "High school" means a school in which any combination of grades nine through twelve (9-12) are taught; provided, that the school must include grade twelve (12);

(6) "Legacy student" means a participating student who:

(A)(i) Graduates from high school; or

(ii) Exits the program by reaching twenty-two (22) years of age;

(B) Has funds remaining in the student's education savings account; and

(C) Has an open education savings account;

(7) "Local education agency" or "LEA" has the same meaning as defined in § 49-1-103;

(8) "Parent" means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001;

(9) "Participating school" means a private school, as defined by § 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the department of education and the state board of education for a Category I, II, or III private school, and that seeks to enroll eligible students;

(10) "Participating student" means:

(A) An eligible student who is seventeen (17) years of age or younger and whose parent is participating in the education savings account program; or

(B) An eligible student who has reached the age of eighteen (18) and who is participating in the education savings account program;

(11) "Program" means the education savings account program created in this part;

(12) "Provider" means an individual or business that provides educational services in accordance with this part and that meets the requirements established by the department of education and the state board of education; and

(13) "State board" means the state board of education.

49-6-2603.

(a) To participate in the program, a parent of an eligible student who is seventeen (17) years of age or younger, or an eligible student who has reached the age of eighteen (18) must agree in writing to:

(1) Ensure the provision of an education for the participating student that satisfies the compulsory school attendance requirement provided in § 49-6-3001(c)(1) through enrollment in a private school, as defined in § 49-6-3001(c)(3)(A)(iii), that meets the requirements established by the department and the state board for a Category I, II, or III private school;

(2) Not enroll the participating student in a public school while participating in the program;

(3) Release the LEA in which the participating student resides from all obligations to educate the participating student while participating in the program. Participation in the program has the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1414);

(4) Only use the funds deposited in a participating student's ESA for one (1) or more of the following expenses of the student:

(A) Tuition or fees at a participating school;

(B) Textbooks required by a participating school;

(C) Tutoring services provided by a tutor or tutoring facility that meets the requirements established by the department and the state board;

(D) Fees for transportation to and from a participating school or educational provider paid to a fee-for-service transportation provider;

(E) Fees for early postsecondary opportunity courses and examinations required for college admission;

(F) Computer hardware, technological devices, or other technology fees approved by the department, if the computer hardware, technological device, or technology fee is used for the student's educational needs and is purchased through a participating school, private school, or provider;

(G) School uniforms, if required by a participating school;

(H) Tuition and fees for summer education programs and specialized afterschool education programs, as approved by the department, which do not include afterschool childcare;

(I) Tuition and fees at an eligible postsecondary institution;

(J) Textbooks required by an eligible postsecondary institution;

(K) Educational therapy services provided by therapists that meet the requirements established by the department and the state board; or

(L) Fees for the management of the ESA by a private or non-profit financial management organization, as approved by the department. The fees must not exceed two percent (2%) of the funds deposited in a participating student's ESA in a fiscal year; and

(5) Verify that the student's household income meets the requirements of § 49-6-2602(3)(D) by providing a federal income tax return from the previous year or by providing proof that the parent of an eligible student who is seventeen (17) years of age or younger, or an eligible student who has reached the age of eighteen (18), is eligible to enroll in the state's temporary assistance for needy families (TANF) program. Household income must be verified under this subdivision (a)(5):

(A) When the parent of the eligible student or the eligible student, as applicable, submits an application to participate in the program; and

(B) At least once every year, according to the schedule and income-verification process developed by the department.

(b) This part does not prohibit a parent or third party from paying the costs of educational programs and services for a participating student that are not covered by the funds in an ESA.

(c) When a participating student reaches the age of eighteen (18), the rights accorded to, and any consent required of, the participating student's parent under this part transfer from the participating student's parent to the participating student.

(d) For purposes of continuity of educational attainment, and subject to the eligibility requirements of § 49-6-2602(3)(A) and (B), a participating student may participate in the program, unless the student is suspended or terminated from participating in the program under § 49-6-2608, until:

(1) The participating student:

(A) Enrolls in a public school;

(B) Ceases to be a resident of the LEA in which the student resided when the student began participating in the program;

(C) Graduates or withdraws from high school; or

(D) Reaches twenty-two (22) years of age between the commencement of the school year and the conclusion of the school year, whichever occurs first; or

(2) The parent of the participating student or the participating student, as applicable:

(A) Fails to verify that the participating student's household income meets the requirements of § 49-6-2602(3)(D) according to the schedule and income-verification process developed by the department; or

(B) Verifies, according to the schedule and income-verification process developed by the department, that the participating student's household income does not meet the requirements of § 49-6-2602(3)(D).

(e) A participating student, who is otherwise eligible to return to the student's LEA, may return to the student's LEA at any time after enrolling in the program. Upon a participating student's return to the student's LEA, the student's ESA will be closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(f)(1) If a participating student ceases to be a resident of the LEA in which the student resided when the student began participating in the program, then the student's ESA will be closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(2) If the parent of a participating student or the participating student, as applicable, fails to verify that the participating student's household income meets the requirements of § 49-6-2602(3)(D) according to the schedule and income-verification process developed by the department, or if the parent of a participating student or the participating student, as applicable, verifies, according to the schedule and income-verification process developed by the department, that the participating student's household income does not meet the requirements of § 49-6-2602(3)(D), then the student's ESA will be

closed and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(g) Any funds remaining in a participating student's ESA upon graduation from high school or exiting the program by reaching twenty-two (22) years of age may be used by the student when the student becomes a legacy student to attend or take courses from an eligible postsecondary institution, with qualifying expenses subject to the conditions of subdivision (a)(4).

(h) A participating student's ESA will be closed, and any remaining funds must be returned to the state treasurer to be placed in the basic education program account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358, after the first of the following events:

(1) Upon a legacy student's graduation from an eligible postsecondary institution;

(2) After four (4) consecutive years elapse immediately after a legacy student enrolls in an eligible postsecondary institution;

(3) After a participating student or legacy student exits the program and is not enrolled in an eligible postsecondary institution; or

(4) After a participating or legacy student reaches twenty-two (22) years of age and is not enrolled in an eligible postsecondary institution.

(i) Funds received pursuant to this part:

(1) Constitute a scholarship provided for use on qualified educational expenses listed in subdivision (a)(4); and

(2) Do not constitute income of a parent of a participating student under title 67, chapter 2 or any other state law.

(j) A student who is eligible for both the program created under this part and an individualized education account under the Individualized Education Act, compiled in chapter 10, part 14 of this title, may apply for both programs but must only participate and receive assistance from one (1) program.

(k) A participating student is ineligible to participate in a sport sanctioned by an association that regulates interscholastic athletics for the first year in which the student attends a participating school if:

(1) The participating student attended a Tennessee public school and participated in that sport;

(2) The student participated in that sport in the year immediately preceding the year in which the participating student enrolled in the participating school; and

(3) The participating student has not relocated outside the LEA in which the Tennessee public school that the participating student formerly attended is located.

(l) The state board shall adopt rules regarding the spending requirements for ESA funds and the use of any unspent funds, as well as rules providing for determining that a student is no longer participating in the program or that a student's ESA should be closed. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2604.

(a) The department shall establish:

(1) Procedures to determine student eligibility in accordance with the requirements established by this part;

(2)(A) An application form that a parent of a student or a student who has reached the age of eighteen (18) may submit to the department to determine the student's eligibility for an ESA and make the application form readily available on the department's website;

(B) An application process that provides a timeline, before the start of the school year for which an application is being submitted, when a parent of a student, or a student who has reached the age of eighteen (18), as applicable, must submit an application to participate in the program. If the application is approved, then the student may participate in the program beginning with the school year identified in the application. If a participating student exits the program, then the student's parent, or the student, as applicable, may reapply to participate in the program in accordance with the application process and timeline established by the department under this subdivision (a)(2)(B);

(3) An approval process for a Category I, II, or III private school to become a participating school;

(4) An application form that a Category I, II, or III private school may submit to the department to become a participating school and make the application form readily available on the department's website;

(5) An annual application period for a parent of a student, or a student who has reached the age of eighteen (18), to apply for the program; and

(6) An income-verification process for a parent of a participating student who is seventeen (17) years of age or younger, or a participating student who has reached the age of eighteen (18), as applicable, to verify that the participating student's household income meets the requirements of § 49-6-2602(3)(D).

(b) The program shall begin enrolling participating students no later than the 2021-2022 school year.

(c) The number of participating students enrolled in the program must not exceed:

(1) For the first school year of operation, five thousand (5,000) students;

(2) For the second school year of operation, seven thousand five hundred (7,500) students;

(3) For the third school year of operation, ten thousand (10,000) students;

(4) For the fourth school year of operation, twelve thousand five hundred (12,500) students; and

(5) For the fifth school year of operation, and for each school year thereafter, fifteen thousand (15,000) students.

(d)(1) Notwithstanding subsection (c), if, in the application period for a school year, the number of program applications received by the department does not exceed seventy-five percent (75%) of the maximum number of students that may participate in the program for that school year under subsection (c), then the maximum number of students that may participate in the program for that school year must remain in place for subsequent school years until the number of applications during a subsequent program application period exceeds seventy-five percent (75%) of that maximum number.

(2) Once the number of applications during a subsequent program application period exceeds seventy-five percent (75%) of the maximum number that has remained in place under subdivision (d)(1), then, during the next school year for which an increase is practicable, the maximum number of students that may participate in the program for that school year shall increase to the number of students provided for under subsection (c) that is in excess of the most recent maximum number of students allowed to participate in the program.

(3) This subsection (d) is subject to the caps on the maximum number of students that may participate in the program for a particular school year under subsection (c).

(e) If, in the application period for a school year, the number of program applications received by the department exceeds the maximum number of students that may participate in the program for that school year under subsection (c), then the department shall select students for participation in the program through an enrollment lottery process. Students who participated in the program in the previous school year receive enrollment preference and, as a result, are excluded from entering into an enrollment lottery. If an enrollment lottery is conducted, then enrollment preference must be granted in the following order:

- (1) Students who have a sibling participating in the program;
- (2) Students zoned to attend a priority school as defined by the state's accountability system pursuant to § 49-1-602;
- (3) Students eligible for direct certification under 42 U.S.C. § 1758(b)(4); and
- (4) All other eligible students.

49-6-2605.

(a) The maximum annual amount to which a participating student is entitled under the program must be equal to the amount representing the per pupil state and local funds generated and required through the basic education program (BEP) for the LEA in which the participating student resides, but must not exceed the combined statewide average of required state and local BEP allocations per pupil. The state board of education may promulgate rules to annually calculate and determine the combined statewide average of required state and local BEP allocations per pupil.

(b)(1) For the purpose of funding calculations, each participating student must be counted in the enrollment figures for the LEA in which the participating student resides. The ESA funds for participating students must be subtracted from the state BEP funds otherwise payable to the LEA. The department shall remit funds to a participating student's ESA on at least a quarterly basis. Any funds awarded under this part are the entitlement of the participating student or legacy student, under the supervision of the participating student's or legacy student's parent if the participating student or legacy student is seventeen (17) years of age or younger.

(2)(A) There is established a school improvement fund to be administered by the department that, for the first three (3) fiscal years in which the program enrolls participating students and subject to appropriation, shall disburse an annual grant to each LEA to be used for school improvement in an amount equal to the ESA amount for participating students under the program who:

(i) Were enrolled in and attended a school in the LEA for the one (1) full school year immediately preceding the school year in which the student began participating in the program; and

(ii) Generate BEP funds for the LEA in the applicable fiscal year that will be subtracted from the state BEP funds payable to the LEA under subdivision (b)(1).

(B)(i) Any balance of unused funds allocated to the program remaining at the end of any of the first three (3) fiscal years of the program must be disbursed as an annual school improvement grant to LEAs that have priority schools as defined by the state's accountability system pursuant to § 49-1-602, but that do not have participating students in the program.

(ii) After the first three (3) fiscal years in which the program enrolls participating students, the department shall disburse any appropriations to the fund established in this subdivision (b)(2) as school improvement grants for programs to support schools identified as priority schools, as defined by the state's accountability system pursuant to § 49-1-602, for 2021 or any year thereafter.

(3) Any balance in the fund established in subdivision (b)(2) remaining unexpended on the program at the end of any fiscal year after the third fiscal year does not revert to the general fund, but is carried forward for expenditure in subsequent years.

(c) The department shall provide parents of participating students or students, as applicable, with a written explanation of the allowable uses of ESA funds, the responsibilities of parents regarding ESA funds and the parents' participating students, and the department's duties regarding ESA funds and eligible students, participating students, and legacy students.

(d) The department shall post on the department's website a list of participating schools for each school year, the grades taught in each participating school, and any other information that the department determines may assist parents in selecting a participating school.

(e) The department shall strive to ensure that lower-income families and families with students listed under § 49-6-2604(e) are notified of the program and of the eligibility requirements to participate in the program.

(f) The department shall strive to ensure that parents of students with disabilities receive notice that participation in the program has the same effect as a parental refusal to consent to the receipt of services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1414).

(g) The department shall adopt policies or procedures necessary for the administration of the program, including, but not limited to, procedures for establishing, or contracting for the establishment of, an anonymous online

fraud reporting service and telephone hotline, for reporting fraudulent activity related to ESAs, and for conducting or contracting for random, quarterly, or annual review of accounts.

(h) The department may deduct six percent (6%) from the annual ESA award amount to cover the costs of overseeing the funds and administering the program.

(i) The department may contract with a nonprofit organization to administer some or all portions of the program.

49-6-2606.

(a)(1) As a condition of participating in the program, participating students in grades three through eleven (3-11) must be annually administered the Tennessee comprehensive assessment program (TCAP) tests for math and English language arts, or successor tests authorized by the state board of education for math and English language arts.

(2) For participating students enrolled full-time in a participating school, the participating school shall annually administer the tests required in subdivision (a)(1) to participating students.

(3) For participating students seventeen (17) years of age or younger who are not enrolled full-time in a participating school, the participating student's parent must ensure that the participating student is annually administered the tests required in subdivision (a)(1). A participating student who has reached the age of eighteen (18) and who is not enrolled full-time in a participating school must ensure that the participating student is annually administered the tests required in subdivision (a)(1).

(b) The department shall ensure that:

(1) Parents report the participating student's graduation from high school to the department; and

(2) A parental satisfaction survey is created and annually disseminated to parents of participating students that requests the following information:

(A) Parental satisfaction with the program, including parental recommendations, comments, and concerns;

(B) Whether the parent terminated the participating student's participation in the program and the reason for termination;

(C) Methods to improve the effectiveness of the program, including parental recommendations for doing so; and

(D) The number of years the parent's participating student has participated in the program.

(c) In compliance with all state and federal student privacy laws, beginning at the conclusion of the first fiscal year in which the program enrolls participating students, the department shall produce an annual report that is accessible on the department's website with information about the program for the previous school year. The report must include:

(1) The number of students participating in the program;

(2) Participating student performance on annual assessments required by this section, aggregated by LEA and statewide;

(3) Aggregate graduation outcomes for participating students in grade twelve (12); and

(4) Results from the parental satisfaction survey required in subdivision (b)(2).

(d) In compliance with all state and federal student privacy laws, the program is subject to audit by the comptroller of the treasury or the comptroller's designee no later than the first fiscal year in which the program enrolls participating students and annually thereafter. The audit may include a sample of ESAs to evaluate the eligibility of the participating students, the funds deposited in the ESAs, and whether ESA funds are being used for authorized expenditures. The audit may also include an analysis of the department's ESA monitoring process and the sufficiency of the department's fraud protection measures. The department shall cooperate fully with the comptroller of the treasury or the comptroller's designee in the performance of the audit. The audit must be made available to the members of the general assembly.

(e)(1) Data from the Tennessee comprehensive assessment program (TCAP) tests, or successor tests authorized by the state board of education, that are annually administered to participating students in grades three through eleven (3-11) pursuant to subsection (a) must be used to determine student achievement growth, as represented by the Tennessee Value-Added Assessment System (TVAAS), developed pursuant to chapter 1, part 6 of this title, for participating schools.

(2) The department shall, in compliance with all state and federal student privacy laws, make the TVAAS score of each participating school publicly available on the department's website.

49-6-2607.

(a) ESA funds shall only be used for the expenses listed in § 49-6-2603(a)(4).

(b) The department shall establish and maintain separate ESAs for each participating student and shall verify that the uses of ESA funds are permitted under § 49-6-2603(a)(4) and institute fraud protection measures. Use of ESA funds on tuition and fees, computer hardware or other technological devices, tutoring services, educational therapy services, summer education programs and specialized afterschool education programs, and any other expenses identified by the department must be pre-approved by the department. Pre-approval shall be requested by completing and submitting the department's pre-approval form. The department shall develop processes to effectuate this subsection (b).

(c) To document compliance with subsection (a), participating schools, providers, and eligible postsecondary institutions shall provide parents of participating students or participating students, as applicable, with a receipt for all expenses paid to the participating school, provider, or eligible postsecondary institution using ESA funds.

(d) A participating school, provider, or eligible postsecondary institution shall not, in any manner, refund, rebate, or share funds from an ESA with a parent of a participating student or a participating student. The department shall establish a process for funds to be returned to an ESA by a participating school, provider, or eligible postsecondary institution.

(e) To ensure the safety and equitable treatment of participating students, participating schools shall:

(1) Comply with all state and federal health and safety laws applicable to nonpublic schools;

(2) Certify that the participating school will not discriminate against participating students or applicants on the basis of race, color, or national origin;

(3) Comply with § 49-5-202;

(4) Conduct criminal background checks on employees; and

(5) Exclude from employment:

(A) Any person who is not permitted by state law to work in a nonpublic school; and

(B) Any person who might reasonably pose a threat to the safety of students.

(f) An LEA shall provide a participating school that has admitted a participating student with a complete copy of the participating student's school records in the LEA's possession to the extent permitted by state and federal student privacy laws.

49-6-2608.

(a)(1) The department may suspend or terminate a participating school's or provider's participation in the program if the department determines that the participating school or provider has failed to comply with the requirements of this part.

(2) The state board shall promulgate rules allowing the department to suspend or terminate a participating school's participation in the program due to low academic performance, as determined by the department.

(3) If the department suspends or terminates a participating school's or provider's participation under this subsection (a), then the department shall notify affected participating students and the parents of participating students of the decision. If a participating school's or provider's participation in the program is suspended or terminated, or if a participating school or provider withdraws from the program, then affected participating students remain eligible to participate in the program.

(b) The department may suspend or terminate a participating student from the program, or close a legacy student's ESA, if the department determines that the participating student's or legacy student's parent or the participating student or legacy student has failed to comply with the requirements of this part. If the department terminates a participating student's or legacy student's participation in the program, then the department shall close the participating student's or legacy student's ESA.

(c) A parent of a participating student, a participating student, a legacy student, or any other person who uses the funds deposited in a participating student's ESA for expenses that do not constitute one (1) or more of the qualified expenses listed in § 49-6-2603(a)(4), or a parent of a participating student, a participating student, a legacy student, or any other person who misrepresents the nature, receipts, or other evidence of any expenses paid by the parent of a participating student, by a participating student, or by a legacy student is liable for restitution to the department in an amount equal to the amount of such expenses.

(d) If a person knowingly uses ESA funds for expenses that do not constitute one (1) or more of the qualified expenses listed in § 49-6-2603(a)(4) with the intent to defraud the program or knowingly misrepresents the nature, receipts, or other evidence of any expenses paid with the intent to defraud the program, then the department may refer the matter to the appropriate enforcement authority for criminal prosecution.

(e) Any funds remaining in an ESA that is closed in accordance with subsection (b) must be returned to the state treasurer to be placed in the basic education program (BEP) account of the education trust fund of 1992 under §§ 49-3-357 and 49-3-358.

(f) The state board shall promulgate rules to effectuate this section, including rules to establish a process for a participating school's, provider's, participating student's, or legacy student's suspension or termination from the program. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2609.

(a) A participating school or provider is autonomous and not an agent of this state.

(b) The creation of the ESA program does not expand the regulatory authority of this state, the officers of this state, or an LEA to impose any additional regulation of participating schools or providers beyond the rules and regulations necessary to enforce the requirements of the program.

(c) This state gives participating schools and providers maximum freedom to provide for the educational needs of participating students without governmental control. Neither a participating school nor a provider is required to alter its creed, practices, admissions policies, or curriculum in order to accept participating students, other than as is necessary to comply with the requirements of the program.

49-6-2610.

The state board is authorized to promulgate rules to effectuate the purposes of this part. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-6-2611.

(a)(1) The general assembly recognizes this state's legitimate interest in the continual improvement of all LEAs and particularly the LEAs that have consistently had the lowest performing schools on a historical basis. Accordingly, it is the intent of this part to establish a pilot program that provides funding for access to additional educational options to students who reside in LEAs that have consistently and historically had the lowest performing schools.

(2)(A) On January 1 following the third fiscal year in which the program enrolls participating students, and every January 1 thereafter, the office of research and education accountability (OREA), in the office of the comptroller of the treasury, shall provide a report to the general assembly to assist the general assembly in evaluating the efficacy of the program. The report must include, in compliance with all state and federal student privacy laws:

(i) The information contained in the department's annual report prepared pursuant to § 49-6-2606(c);

(ii) Academic performance indicators for participating students in the program including, but not

limited to, data generated from the tests administered to participating students pursuant to § 49-6-2606(a)(1);

(iii) Audit reports prepared by the comptroller of the treasury or the comptroller's designee pursuant to § 49-6-2606(d);

(iv) A list of the LEAs that meet the requirements of § 49-6-2602(3)(C)(i) for the most recent year in which the department collected such information; and

(v) Recommendations for legislative action if, based upon the list provided pursuant to subdivision (a)(2)(A)(iv), the LEAs with students who are eligible to participate in the program under § 49-6-2602(3)(C)(i) is no longer consistent with the intent described in subdivision (a)(1).

(B) The department shall assist the OREA in its preparation of the report required under this subdivision (a)(2).

(C) The OREA's initial report to the general assembly under this subdivision (a)(2) must include the information outlined in subdivisions (a)(2)(A)(i)-(iii) for each of the three (3) preceding school years in which the program enrolled participating students.

(b) If any provision of this part or this part's application to any person or circumstance is held invalid, then the invalidity must not affect other provisions or applications of this part that can be given effect without the invalid provision or application, and to that end the provisions of this part are severable.

(c) Notwithstanding subsection (b), if any provision of this part is held invalid, then the invalidity shall not expand the application of this part to eligible students other than those identified in § 49-6-2602(3).

(d) A local board of education does not have authority to assert a cause of action, intervene in any cause of action, or provide funding for any cause of action challenging the legality of this part.

49-6-2612.

An education savings account is a state or local public benefit under § 4-58-102.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Dolores Gresham
/s/ Senator Jack Johnson
/s/ Senator Mike Bell
/s/ Senator Brian Kelsey
Senator Raumesh Akbari

/s/ Representative Bill Dunn
/s/ Representative Andy Holt
/s/ Representative Matthew Hill
/s/ Representative Charlie Baum
/s/ Representative Rick Staples

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Senator Kelsey declared Rule 13 on **House Bill No. 939**.

Senator Gresham moved that the Conference Committee Report on **House Bill No. 939/Senate Bill No. 795** be adopted and made the action of the Senate.

Mr. Speaker McNally moved that the Conference Committee Report on **House Bill No. 939/Senate Bill No. 795** be moved five places down, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 509. The House nonconcurred in Senate Amendment No. 3.

TAMMY LETZLER
Chief Clerk

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 509 -- Children's Services, Dept. of -- As introduced, changes from March 1 to March 31 the date by which the department must appear before the appropriate committees in the senate and house of representatives for a review of the department's policies that affect the children it serves. Amends TCA Title 4; Title 9; Title 36 and Title 37.

Senator Haile moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 3 to **House Bill No. 509**, which motion prevailed.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Haile as Speaker pro tempore.

MOTION

Senator Jackson moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Consent Calendar No. 1 consisting of the following bills: **Senate Joint Resolutions Nos. 613, 614, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 630, 631, 632, 633, 634, 635 and 636; Senate Resolutions Nos. 81, 82, 83, 84, 85 and 86; and House Joint Resolutions Nos. 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646 and 647**, which motion prevailed.

CONSENT CALENDAR

Senate Joint Resolution No. 613 -- Memorials, Interns -- Joseph Wampler.

Senate Joint Resolution No. 614 -- Memorials, Public Service -- Matt Anderson.

Senate Joint Resolution No. 616 -- Memorials, Death -- Dr. James Lee Smith.

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Senate Joint Resolution No. 617 -- Memorials, Recognition -- Layton Werther, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 618 -- Memorials, Recognition -- Cody Coffey, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 619 -- Memorials, Recognition -- Matthew Emerick, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 620 -- Memorials, Recognition -- Jacob Ellison, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 621 -- Memorials, Recognition -- Alejandra Ocampo, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 622 -- Memorials, Recognition -- Walters State Community College Phi Theta Kappa.

Senate Joint Resolution No. 623 -- Memorials, Recognition -- A.J. Fleming, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 624 -- Memorials, Recognition -- Whitten Williams, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 625 -- Memorials, Recognition -- Chase Barger, State Leadership and Skills Conference of SkillsUSA.

Senate Joint Resolution No. 626 -- Memorials, Recognition -- Adia Bulawa, Appalachian Highlands Twenty Under 20.

Senate Joint Resolution No. 627 -- Memorials, Recognition -- Asheville Highway Animal Hospital, 40th Anniversary.

Senate Joint Resolution No. 628 -- Memorials, Academic Achievement -- Kami Grace Pullem, Valedictorian, White County High School.

Senate Joint Resolution No. 630 -- Memorials, Professional Achievement -- Ellen Reid, 2019 Pulitzer Prize in music.

Senate Joint Resolution No. 631 -- Memorials, Recognition -- Cold War Patriots.

Senate Joint Resolution No. 632 -- Memorials, Retirement -- Jeff Fleming.

Senate Joint Resolution No. 633 -- Memorials, Sports -- Bethel University, National Collegiate D4 Roller Hockey Champions.

Senate Joint Resolution No. 634 -- Memorials, Retirement -- Judge David A. Patterson.

Senate Joint Resolution No. 635 -- Memorials, Death -- Barry Lynn Brady.

Senate Joint Resolution No. 636 -- Memorials, Death -- Billy Don Giddens.

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Senate Resolution No. 81 -- Memorials, Death -- John Calvin George.

Senate Resolution No. 82 -- Memorials, Personal Occasion -- Luther & Alma Vaughan, 70th Wedding Anniversary.

Senate Resolution No. 83 -- Memorials, Death -- Mira Ryczke Kimmelman.

Senate Resolution No. 84 -- Memorials, Recognition -- Rob Woodson and family.

Senate Resolution No. 85 -- Memorials, Heroism -- Mayor Bobby Stooksbury.

Senate Resolution No. 86 -- Memorials, Sports -- Harriman Middle School girls' basketball team, TMSAA 1A State Champions.

House Joint Resolution No. 625 -- Memorials, Recognition -- Hamilton County Sheriff's Office, 200th Anniversary.

House Joint Resolution No. 626 -- Memorials, Interns -- Rodrick Douglas.

House Joint Resolution No. 627 -- Memorials, Academic Achievement -- Elizabeth Brawner, Valedictorian, Bartlett High School.

House Joint Resolution No. 628 -- Memorials, Academic Achievement -- Walter Price, Salutatorian, Bartlett High School.

House Joint Resolution No. 629 -- Memorials, Recognition -- City of Memphis, Bicentennial.

House Joint Resolution No. 630 -- Memorials, Recognition -- Memphis Light, Gas and Water, 80th Anniversary.

House Joint Resolution No. 631 -- Memorials, Recognition -- Shelby County, Bicentennial.

House Joint Resolution No. 632 -- Memorials, Professional Achievement -- Grant Summers, 2019 president of Tennessee Road Builders Association.

House Joint Resolution No. 633 -- Memorials, Academic Achievement -- Sarah Jane Henry, Valedictorian, Trousdale County High School.

House Joint Resolution No. 634 -- Memorials, Academic Achievement -- Ann Marie Henry, Salutatorian, Trousdale County High School.

House Joint Resolution No. 635 -- Memorials, Retirement -- Anita Dyer.

House Joint Resolution No. 636 -- Memorials, Retirement -- State Trooper Joe Wynne.

House Joint Resolution No. 637 -- Memorials, Academic Achievement -- Mackenzie McCall, Salutatorian, Bolton High School.

House Joint Resolution No. 638 -- Memorials, Academic Achievement -- Bryanna Fayne, Salutatorian, Bolton High School.

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House Joint Resolution No. 639 -- Memorials, Academic Achievement -- Britney Le, Valedictorian, Bolton High School.

House Joint Resolution No. 640 -- Memorials, Academic Achievement -- Lindsay Brooke Anderson, Salutatorian, Franklin Road Christian School.

House Joint Resolution No. 641 -- Memorials, Academic Achievement -- Gabrielle Daye Copeland, Valedictorian, Franklin Road Christian School.

House Joint Resolution No. 642 -- Memorials, Death -- Henry Cox "Hank" McCall, Jr.

House Joint Resolution No. 643 -- Memorials, Recognition -- Joshua Cook.

House Joint Resolution No. 644 -- Memorials, Retirement -- Helen Ford.

House Joint Resolution No. 645 -- Memorials, Recognition -- Wally's Restaurant in East Ridge.

House Joint Resolution No. 646 -- Memorials, Public Service -- Metro Nashville Councilman Bill Pridemore.

House Joint Resolution No. 647 -- Memorials, Retirement -- Steve North.

Senator Jackson moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager and Yarbro--30.

A motion to reconsider was tabled.

MOTION

Senator Jackson moved that Rule 19 and Rule 38 be suspended for the purpose of making and considering the Local Bill Consent Calendar consisting of the following bills: **Senate Bills Nos. 1541 and 1546**, which motion prevailed.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 1541 -- Rhea County -- Subject to local approval, eliminates the tax assessor's duty of collecting a fee for services in placing a stamp on a deed. Amends Chapter 896 of the Private Acts of 1949.

On motion, Senate Bill No. 1541 was made to conform with **House Bill No. 1533**.

On motion, House Bill No. 1533, on same subject, was substituted for Senate Bill No. 1541.

Senate Bill No. 1546 -- Winchester -- Subject to local approval, rewrites city charter. Amends Chapter 23 of the Private Acts of 2011.

On motion, Senate Bill No. 1546 was made to conform with **House Bill No. 1536**.

On motion, House Bill No. 1536, on same subject, was substituted for Senate Bill No. 1546.

Senator Jackson moved that all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager and Yarbro--30.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Joint Resolution No. 178 -- Constitutional Amendments -- Proposes amendment to remove Article IX, Section 1 of the Constitution of Tennessee, which provides that no minister of the gospel, or priest of any denomination whatever, shall be eligible to a seat in either house of the legislature.

Senator Pody moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution, for the second time.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 178** had been read, for the second time.

Senate Bill No. 10 -- Sentencing -- As introduced, enacts the "JaJuan Latham Act," which increases the penalty for an aggravated assault or homicide that occurs by a person discharging a firearm from within a motor vehicle and the victim is a minor at the time of the offense. Amends TCA Title 39, Chapter 13, Part 1 and Title 39, Chapter 13, Part 2.

On motion, Senate Bill No. 10 was made to conform with **House Bill No. 2**.

On motion, House Bill No. 2, on same subject, was substituted for Senate Bill No. 10.

House Bill No. 2 passed its third and final consideration by the following vote:

Ayes	28
Noes	0

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White and Yager--28.

A motion to reconsider was tabled.

Senator Roberts moved that **Senate Bill No. 153** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Mr. Speaker Pro Tempore Haile moved that **Senate Bill No. 187** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Mr. Speaker Pro Tempore Haile moved that **House Bill No. 939**, as amended, be moved five places down for today, which motion prevailed.

CALENDAR NO. 1

Senate Bill No. 310 -- Education -- As introduced, directs the Tennessee School for the Deaf, together with the West Tennessee School for the Deaf, to establish a two-year deaf mentor pilot project to assist families and agencies in implementing bilingual and bicultural home-based programming for young children who are deaf, hard of hearing, or deaf-blind. Amends TCA Title 49, Chapter 10, Part 9.

On motion, Senate Bill No. 310 was made to conform with **House Bill No. 567**.

On motion, House Bill No. 567, on same subject, was substituted for Senate Bill No. 310.

On motion of Senator Stevens, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 567** passed its third and final consideration by the following vote:

Ayes	27
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gilmore, Hensley, Jackson, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--27.

A motion to reconsider was tabled.

Senator Gardenhire moved that **Senate Bill No. 325** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 476 -- TennCare -- As introduced, reduces the time period from 30 days to 15 days for an enrollee or applicant for medical assistance to mail documentation of a material change affecting the enrollee or applicant's TennCare application. Amends TCA Title 4; Title 33; Title 56; Title 68 and Title 71.

On motion, Senate Bill No. 476 was made to conform with **House Bill No. 498**.

On motion, House Bill No. 498, on same subject, was substituted for Senate Bill No. 476.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

On motion of Senator Stevens, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 498** passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 517 -- Driver Licenses -- As introduced, authorizes the commissioner of safety to issue farm-related service industry employee restricted commercial driver licenses to persons who meet certain qualifications. Amends TCA Title 43 and Title 55.

On motion, Senate Bill No. 517 was made to conform with **House Bill No. 714**.

On motion, House Bill No. 714, on same subject, was substituted for Senate Bill No. 517.

On motion of Senator Pody, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 714** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 579 -- Mental Health & Substance Abuse Services, Dept. of -- As introduced, removes law enforcement as a transportation option provided by the department of mental health and substance abuse services for people with developmental disabilities, mental illness, or serious emotional disturbance. Amends TCA Title 8, Chapter 21; Title 8, Chapter 42; Title 9, Chapter 8; Title 13, Chapter 26; Title 29, Chapter 20; Title 33, Chapter 2; Title 33, Chapter 6; Title 33, Chapter 7; Title 37, Chapter 1; Title 56; Title 63; Title 68 and Title 71.

On motion, Senate Bill No. 579 was made to conform with **House Bill No. 643**.

On motion, House Bill No. 643, on same subject, was substituted for Senate Bill No. 579.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 643** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Gresham moved that **House Bill No. 939**, as amended, be placed at the heel of the Calendars for today, which motion prevailed.

CALENDAR NO. 1

Senate Bill No. 604 -- Education -- As introduced, requires students expelled in grades seven through 12 to attend alternative school; requires a governing body of a public charter school to establish an alternative educational setting for students suspended from the regular school program; prohibits a charter school from expelling a student from school attendance until after the student has been placed in an alternative educational setting. Amends TCA Title 49, Chapter 13 and Title 49, Chapter 6.

On motion, Senate Bill No. 604 was made to conform with **House Bill No. 664**.

On motion, House Bill No. 664, on same subject, was substituted for Senate Bill No. 604.

Senator Gresham moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 664** passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 650 -- Pharmacy, Pharmacists -- As introduced, makes various changes to law concerning pharmacy benefits managers; requires the comptroller of the treasury to perform an annual audit of all pharmacy benefits managers providing services funded by this state. Amends TCA Title 56, Chapter 7, Part 31.

Senator Reeves declared Rule 13 on **Senate Bill No. 650**.

On motion, Senate Bill No. 650 was made to conform with **House Bill No. 786**.

On motion, House Bill No. 786, on same subject, was substituted for Senate Bill No. 650.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 786** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yabro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Mr. Speaker Pro Tempore Haile moved that **Senate Bill No. 667** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 747 -- Highways, Roads and Bridges -- As introduced, increases the safety light requirement for horse-drawn vehicles used on highways from either a battery-powered strobe light or two lanterns to both a battery-powered strobe light and two lanterns. Amends TCA Title 55, Chapter 9, Part 4.

On motion, Senate Bill No. 747 was made to conform with **House Bill No. 1252**.

On motion, House Bill No. 1252, on same subject, was substituted for Senate Bill No. 747.

On motion of Senator Massey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1252** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yabro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 764 -- Scholarships and Financial Aid -- As introduced, increases from one to two the number of additional dual enrollment courses a student may take under a dual enrollment grant under certain circumstances; allows an eligible student to receive a dual enrollment grant for no more than 10 courses. Amends TCA Title 49.

On motion, Senate Bill No. 764 was made to conform with **House Bill No. 1425**.

On motion, House Bill No. 1425, on same subject, was substituted for Senate Bill No. 764.

Senator Gresham moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1425** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1039 -- Elder Abuse -- As introduced, enacts the "Elderly and Vulnerable Adult Protection Act of 2019." Amends TCA Title 39; Title 40 and Title 71.

On motion, Senate Bill No. 1039 was made to conform with **House Bill No. 909**.

On motion, House Bill No. 909, on same subject, was substituted for Senate Bill No. 1039.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 909** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1046 -- Local Education Agencies -- As introduced, requires LEAs to provide free feminine hygiene products in eligible public high schools. Amends TCA Title 49 and Title 68.

On motion, Senate Bill No. 1046 was made to conform with **House Bill No. 1483**.

On motion, House Bill No. 1483, on same subject, was substituted for Senate Bill No. 1046.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1483** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1252 -- Statutes of Limitations and Repose -- As introduced, extends civil and criminal statutes of limitation for certain acts of abuse against minors; increases the penalty for intentional failure to report child abuse or child sexual abuse. Amends TCA Title 28; Title 37 and Title 40.

On motion, Senate Bill No. 1252 was made to conform with **House Bill No. 565**.

On motion, House Bill No. 565, on same subject, was substituted for Senate Bill No. 1252.

Senator Bell moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 28-3-116, is amended by deleting subsection (b) and substituting instead the following:

(b) Notwithstanding § 28-3-104, a civil action for an injury or illness based on child sexual abuse that occurred when the injured person was a minor must be brought:

(1) For child sexual abuse that occurred before July 1, 2019, but was not discovered at the time of the abuse, within three (3) years from the time of discovery of the abuse by the injured person; or

(2) For child sexual abuse that occurred on or after July 1, 2019, within the later of:

(A) Fifteen (15) years from the date the person becomes eighteen (18) years of age; or

(B) If the injury or illness was not discovered at the time of the abuse, within three (3) years from the time of discovery of the abuse by the injured person.

SECTION 2. Tennessee Code Annotated, Section 28-3-116, is amended by deleting subsection (e) and substituting instead the following:

(e) If an action is brought against someone other than the alleged perpetrator of the child sexual abuse, and if the action is brought more than one (1) year from the date the injured person attains the age of majority, the injured person must offer admissible and credible evidence corroborating the claim of abuse by the alleged perpetrator.

SECTION 3. Tennessee Code Annotated, Section 37-1-412, is amended by deleting the section and substituting instead the following:

(a)(1) Any person who knowingly fails to make a report required by § 37-1-403 commits an offense.

(2)(A) A violation of subdivision (a)(1) is a Class A misdemeanor.

(B) A second or subsequent violation of subdivision (a)(1) is a Class E felony.

(3) Any person who intentionally fails to make a report required by § 37-1-403 commits a Class E felony.

(b)(1) A juvenile court having reasonable cause to believe that a person is guilty of violating this section may have the person brought before the court either by summons or by warrant. If the defendant pleads not guilty, the juvenile court judge shall bind the defendant over to the grand jury.

(2) If the defendant pleads guilty to a first offense under subdivision (a)(1) and waives, in writing, indictment, presentment, grand jury investigation, and trial by jury, the juvenile court judge shall sentence the defendant with a fine not to exceed two thousand five hundred dollars (\$2,500).

SECTION 4. Tennessee Code Annotated, Section 37-1-615, is amended by deleting subsection (a) and substituting instead the following:

(a)(1) Any person required to report known or suspected child sexual abuse who knowingly fails to do so, or who knowingly prevents another person from doing so, commits an offense.

(2)(A) A violation of subdivision (a)(1) is a Class A misdemeanor.

(B) A second or subsequent violation of subdivision (a)(1) is a Class E felony.

(3) Any person required to report known or suspected child sexual abuse who intentionally fails to do so, or who intentionally prevents another person from doing so, commits a Class E felony.

SECTION 5. Tennessee Code Annotated, Section 40-2-101, is amended by deleting subdivision (l)(1) and substituting instead the following:

(1) Notwithstanding subsections (b), (g), (h), and (i) to the contrary, a person may be prosecuted, tried, and punished at any time after the commission of an offense if:

(A) The offense was one (1) of the following:

(i) Aggravated rape, as prohibited by § 39-13-502; or

(ii) Rape, as prohibited by § 39-13-503;

(B) The victim was an adult at the time of the offense;

(C) The victim notifies law enforcement or the office of the district attorney general of the offense within three (3) years of the offense; and

(D) The offense is committed:

(i) On or after July 1, 2014; or

(ii) Prior to July 1, 2014, unless prosecution for the offense is barred because the applicable time limitation set out in this section for prosecution of the offense expired prior to July 1, 2014.

SECTION 6. Tennessee Code Annotated, Section 40-2-101, is further amended by adding the following new subsection (o):

(1) Notwithstanding subsections (b), (g), (h), (i), (j), (k), or (m), a person may be prosecuted, tried, and punished at any time after the commission of an offense if:

(A) The offense was one (1) of the following:

(i) Trafficking for a commercial sex act, as prohibited by § 39-13-309;

(ii) Aggravated rape, as prohibited by § 39-13-502;

(iii) Rape, as prohibited by § 39-13-503;

(iv) Aggravated sexual battery, as prohibited by § 39-13-504;

(v) Sexual battery, as prohibited by § 39-13-505;

(vi) Mitigated statutory rape, as prohibited by § 39-13-506;

(vii) Statutory rape, as prohibited by § 39-13-506;

(viii) Aggravated statutory rape, as prohibited by § 39-13-506(c);

(ix) Indecent exposure, as prohibited by § 39-13-511, when the offense is classified as a felony offense;

(x) Patronizing prostitution, as prohibited by § 39-13-514;

(xi) Promotion of prostitution, as prohibited by § 39-13-515;

(xii) Continuous sexual abuse of a child, as prohibited by § 39-13-518;

(xiii) Rape of a child, as prohibited by § 39-13-522;

(xiv) Sexual battery by an authority figure, as prohibited by § 39-13-527;

(xv) Solicitation of a minor, as prohibited by § 39-13-528, when the offense is classified as a felony offense;

(xvi) Soliciting sexual exploitation of a minor - exploitation of a minor by electronic means, as prohibited by § 39-13-529;

(xvii) Aggravated rape of a child, as prohibited by § 39-13-531;

(xviii) Statutory rape by an authority figure, as prohibited by § 39-13-532;

(xix) Unlawful photographing, as prohibited by § 39-13-605, when the offense is classified as a felony offense;

(xx) Observation without consent, as prohibited by § 39-13-607, when the offense is classified as a felony offense;

(xxi) Incest, as prohibited by § 39-15-302;

(xxii) Sexual exploitation of a minor, as prohibited by § 39-17-1003;

(xxiii) Aggravated sexual exploitation of a minor, as prohibited by § 39-17-1004; or

(xxiv) Especially aggravated sexual exploitation of a minor, as prohibited by § 39-17-1005;

(B) The victim was a minor at the time of the offense; and

(C) The offense is committed:

(i) On or after July 1, 2019; or

(ii) Prior to July 1, 2019, unless prosecution for the offense is barred because the applicable time limitation set out in this section for prosecution of the offense expired prior to July 1, 2019.

SECTION 7. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 8. This act shall take effect July 1, 2019, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 565**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SPEAKER RESUMES CHAIR

Mr. Speaker McNally resumed the Chair.

FURTHER ACTION ON HOUSE BILL NO. 939

Senator Johnson moved for the previous question on **House Bill No. 939**, which motion prevailed.

Senator Gresham moved that the Conference Committee Report on **House Bill No. 939/Senate Bill No. 795** be adopted and made the action of the Senate, which motion failed for lack of a constitutional majority by the following vote:

Ayes	19
Noes	14

Senators voting aye were: Bell, Bowling, Crowe, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Pody, Powers, Reeves, Roberts, Rose, Stevens, Watson, White and Mr. Speaker McNally--19.

Senators voting no were: Akbari, Bailey, Briggs, Dickerson, Gardenhire, Gilmore, Kyle, Massey, Niceley, Robinson, Southerland, Swann, Yager and Yarbro--14.

A motion to reconsider was tabled.

**STATEMENT OF SENATOR KELSEY
PURSUANT TO RULE 61**

Remarks of Senator Brian Kelsey on House Bill No. 939 pursuant to Rule 61.

As the author of the Conference Committee Report on House Bill No. 939 (Senate Bill No. 795) (the "Report"), I am submitting this statement for the record both to explain my vote in favor of adoption of the Report and to explain my legislative intent in drafting the Report. The Report complies with Article XI, § 9 of the Tennessee Constitution; the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution; and all other constitutional provisions of the state and federal constitutions.

First, the Report complies with Article XI, § 9 of the Tennessee Constitution. Under that section, the General Assembly cannot pass an act "private or local in form or effect applicable to a particular county or municipality" unless it includes approval by the local legislative body or by popular referendum of the locality. This provision was intended to reduce the number of local acts passed and to prevent the misuse of local legislative power. *Op. Tenn. A.G. 87-88* (May 14, 1987). See *Civil Service Merit Bd. v. Burson*, 816 S.W.2d 725, 729 (Tenn. 1991). As an elected official charged with upholding the Constitution, I read this provision in accordance with its original meaning to apply only to laws that affect one particular county or municipality.

The Report complies with Article XI, § 9 because it does not apply to only one county in the state. The "Tennessee Education Savings Account Pilot Program" is a pilot program that affects priority schools throughout the state. Priority schools are those schools which have failed to show educational progress of their students over multiple years of testing. They include "the bottom five percent (5%) of schools in performance, all public high schools failing to graduate one-third (1/3) or more of their students, and schools with chronically low-performing subgroups that have not improved after receiving additional targeted support." Tenn. Code Ann. § 49-1-602(b)(2). Their persistent failure provides the rational basis for passing a law that is concentrated on those schools. It is the same rational basis used for passing the "Tennessee First to the Top Act of 2010," Public Chapter No. 2 of the First Extraordinary Session of the 106th General Assembly, that created the Achievement School District ("ASD") and vested it with the authority to take from local school districts the administration of schools on the priority school list.

Under Article XI, § 9, the "sole constitutional test must be whether the legislative enactment, irrespective of its form, is local in effect and application," or "whether th[e] legislation was designed to apply to any other county in Tennessee." *Ferris v. Blanton*, 528 S.W.2d 549, 551-52 (Tenn. 1975). The operative question is whether the legislation "is potentially applicable throughout the state." *Civil Service Merit Bd.*, 816 S.W.2d at 729. If it is, "it is not local in effect even though at the time of the passage it might have applied to [only one locality]." *Id.* "The test is not the outward, visible or facial indices, nor the designation, description or nomenclature employed by the Legislature. Such a criterion would emasculate the purpose of [this constitutional provision]." *Farris v. Blanton*, 528 S.W.2d 549, 551 (Tenn. 1975).

Farris established certain rules of interpretation. In determining applicability, "we must apply reasonable, rational and pragmatic rules as opposed to theoretical, illusory or merely possible considerations." *Id.* at 552. Judges believe they should consider legislative history "in an effort to

ascertain the legislative intent” *id.* at 555 and “determine whether ... legislation was designed to apply to any other county in Tennessee.” *Id.* at 552. Because I am the author of the Report, this Statement is the definitive statement on the legislative intent of the law.

In *Bd. of Educ. v. Memphis City Bd. of Educ.*, 911 F. Supp. 2d 631 (W.D. Tenn. 2012), the United States District Court for the Western District noted the “tension between ‘any other county’ and ‘throughout the state,’” two different phrases used by Tennessee courts when evaluating local laws. 911 F. Supp. at 656. On one hand, “any other county” could refer to any county greater than one. On the other hand, “throughout the state” could mean in every county in the state. *Id.* The District Court ruled that “Section 9 does not require that legislation apply to ‘every part of’ or ‘everywhere’ in Tennessee.” *Id.* Relying on *Burson*, the District Court was able to reconcile the apparent tension in terms by interpreting “throughout the state” as “more appropriately understood as throughout the class created by the Tennessee General Assembly.” *Id.* When only “one county can reasonably, rationally, and pragmatically be expected to fall within that class, the statute is void unless there is a provision for local approval.” *Id.*

In *Memphis City Bd. of Educ.*, the District Court considered whether a law regulating a transition planning commission, a requirement before transitioning students to a new school system, could apply only when the transfer of administration of schools from a special school district to the county board of education would increase student enrollment within the county school system by 100 percent or more. *Id.* at 656-57. Because the challenged law did not have a provision for local approval, it had to be “potentially applicable to one or more” counties. *Id.* at 657.

Although eight counties potentially fell within that class, only one – Shelby – had taken steps to transfer administration of schools from a special school district to the county board of education. *Id.* Finding that, in the end, the challenged law had “no reasonable application, present or potential, to any other county,” the District Court ruled it local in effect and thus void. *Id.* at 660.

The Report differs from the law struck down in *Memphis City Bd. of Educ.* because the Report applies to priority schools in multiple counties throughout the state. For students zoned to attend schools that are in the ASD at the time the statute becomes effective, the Report offers those students an Education Savings Account (“ESA”) that can be used to receive the quality educational services that students deserve. For students not in the ASD, the Report offers ESAs to students in school districts, or local education agencies (“LEAs”), with 10 or more schools that: were identified as priority schools in 2015, were among the bottom ten percent of schools in 2017, and were identified as priority schools in 2018. These are school districts that clearly have a track record of failing to provide tens of thousands of students with a quality education, and they are deserving of special attention from the pilot program. Finally, for other school districts with a priority school, the Report provides them a share of a \$25 million per year school improvement fund to help them correct the problems at their priority schools. Therefore, the Report applies not only to multiple school districts in year one of the pilot program, but it realistically potentially applies to all 95 counties, if they ever find themselves in the unenviable position of having a school on the priority list in the future. I drafted this provision of the Report without input from other legislators, and it differs from earlier drafts of the proposed law; therefore, the legislative intent of earlier versions should be ignored as irrelevant to this Report.

The Report is not a local law. It is plainly not limited to any single county. It is undisputed that, under the terms of the pilot program, ESAs will initially be offered to students in Shelby County, Davidson County, and the ASD. Thus, the ESA pilot program has a reasonable, present application “to any other county,” 911 F. Supp. 2d at 66, unlike the measure at issue in *Memphis City Bd. of Educ.*

In addition, those particular localities were not specifically targeted. Rather, they fell under the Report's ambit because they met the objective criteria in the statute for districts requiring special attention. ESAs would have been "potentially applicable" in any county that met that metric for struggling school districts that had a large concentration of consistently underperforming schools. Because the Report could have potentially applied to any school district that met this showing under a reasonable, rational, and pragmatic construction, it is not a local law.

Next, to the extent legislative history is considered, the legislative history demonstrates that the Report was not designed to apply to any one particular county. In Section 49-6-2611(a) of the Report, it states that, "[t]he general assembly recognizes this state's legitimate interest in the continual improvement of all LEAs and particularly the LEAs that have consistently had the lowest performing schools on a historical basis. Accordingly, it is the intent of this part to establish a pilot program that provides funding for access to additional educational options to students who reside in LEAs that have consistently and historically had the lowest performing schools." The affected counties were affected because they "consistently had the lowest performing schools on a historical basis." This is a neutral criterion that could have applied to any underperforming school district. In fact, the Report *will* apply to any underperforming school district under the terms of the school improvement fund.

Finally, the Report, unlike previous versions of the bill, creates a pilot program. The pilot program will receive rigorous review from the Comptroller's Office of Research and Education Accountability. The Report will also require the General Assembly to renew the program each year by funding the \$25 million school improvement fund in the appropriations act. If the ESA pilot program is successful, it will be expanded. If it is unsuccessful, it will no longer be funded.

The creation of a pilot program, especially one to help disadvantaged students, is a rational basis for limiting a law's initial effect. See *Tenn. Op. Att'y Gen. No. 07-60* (May 1, 2007). As the Attorney General noted in 2004, "a legislature is allowed to attack a perceived problem piecemeal. . . . Underinclusivity alone is not sufficient to state an equal protection claim." *Tenn. Op. Att'y Gen. No. 04-087* (May 5, 2004) (quoting *Tenn. Op. Att'y Gen. No. 01-106* (June 27, 2001)) (quoting *Howard v. City of Garland*, 917 F.2d 898, 901 (5th Cir. 1990)) (quoting *Jackson Court Condominiums v. City of New Orleans*, 874 F. 2d 1070, 1079 (5th Cir. 1989)) (citing *City of New Orleans v. Dukes*, 427 U.S. 297 (1976)). See also *Opinion of the Justices*, 135 N.H. 549, 608 A.2d 874 (1992) (implementation of a pilot program in one part of the state does not violate equal protection).

Second, the Report complies with the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. Laws that do not implicate a fundamental right, or affect a suspect class are subject to rational basis review. *Gallaher v. Elam*, 104 S.W.3d 455, 463 (Tenn. 2003); *Riggs v. Burson*, 941 S.W.2d 44, 51-52 (Tenn. 1997). The rational basis test asks whether the government identifies a legitimate governmental interest that the legislative body could rationally conclude was served by the legislative act. *Parks Properties v. Maury County*, 70 S.W.3d 735, 744-45 (Tenn. Ct. App. 2001). The test, while deferential, is not toothless. *Peoples Rights Org., Inc. v. City of Columbus*, 152 F.3d 522, 532 (6th Cir. 1998).

The rational basis test is a question of fact. See *State v. Whitehead*, 43 S.W.3d 921, 926 (Tenn. Crim. App. 2000). In *State ex. Rel Loser v. National Optical Stores*, the Tennessee Supreme Court indicated that an act is irrational if it fails to further the public safety, health, or morals. 225 S.W.2d 263, 269 (Tenn. 1949) ("In determining whether such act is reasonable the courts decide merely whether it has any real tendency to carry into effect the purposes designed, that is, the protection of the public safety, the public health, or the public morals."). Likewise, the Tennessee

Supreme Court noted that its role “is to determine whether the legislation is so unconnected to its purpose as to constitute a manifest abuse of discretion.” *Pack v. Southern Bell Telephone & Telegraph Co.*, 387 S.W.2d 789, 793 (Tenn. 1965).

Receipt of the ESA in the Report was designated to be a public benefit. It requires verification of a specified household income limit. Federal income tax returns represent one of the two specified methods of verification. The other is documentation that would be acceptable to provide proof of eligibility in the state’s temporary assistance for needy families (TANF) program.

The Report’s verification will be reviewed under rational basis. Public education is not a fundamental right. *San Antonio Independent School Dist. v. Rodriguez*, 411 U.S. 1, 33-36 (1973). Moreover, the Supreme Court has “rejected the suggestion that statutes having different effects on the wealthy and the poor should on that account alone be subject to strict scrutiny.” *Kadmas v. Dickinson Public Schools*, 487 U.S. 450, 458 (1988). Public benefits are entitlements, not rights, and while their termination for a recipient may trigger procedural due process concerns, see *Goldberg v. Kelley*, 397 U.S. 254, 263 (1970), a public benefit is itself not a fundamental right.

Income verification in the Report satisfies rational basis. The state has a legitimate, even laudable, interest in providing an education to the neediest children in persistently struggling school districts. That is why I have included limitations to low-income students in every school choice bill I have introduced since the first one, House Bill No. 1227 in the 105th General Assembly. The state also has an interest in ensuring that it is not defrauded in its efforts to provide solutions to those children. Income verification is a way of achieving both of those interests. It is, simply stated, rationally related to achieving a legitimate state purpose.

The income verification measure in the Report is not like the circumstances in *Plyler v. Doe*, 457 U.S. 202, 217-18 (1982). In *Plyler*, the U.S. Supreme Court used intermediate scrutiny to strike down a Texas law that denied access to public schools to the children of illegal aliens. In *Plyler*, the State of Texas had proposed to deny an education to this class of children all together, and the Court was concerned about creating a “subclass of illiterates within our boundaries.” *Kadmas*, 487 U.S. at 459 (quoting *Plyler*, 457 U.S. at 230). Such a drastic proposal has not been made since, and the Supreme Court has “not extended this holding beyond the ‘unique circumstances.’” *Kadmas*, 487 U.S. at 459.

By contrast, the verification law in the Report ensures that the economically disadvantaged will be uniquely privileged in accessing a special benefit. Any person who cannot meet this test for verification will not be denied access to education but will be given the same access to public education that they have received for years.

Legislative discussion of the *Plyler* case involved discussion of an earlier version of the bill that passed the House of Representatives. That version of the bill had required parents of students, before receiving an ESA, to provide proof of legal employment in the United States found in Tenn. Code Ann. § 50-1-703(a)(1)(A)(i)-(xi). I intentionally deleted that requirement from the Report. Any reference to legislative intent on this subject, whether made before or after the drafting of this Report, was incorrectly referencing that provision of the House bill, which did not become law.

Third and finally, the Report complies with all other provisions of the Tennessee and U.S. Constitution. It is perfectly reasonable, for example, for the General Assembly to prohibit the use of taxpayer dollars by local school districts, which are creatures of the state, to fund litigation against the state regarding this Report because the General Assembly believes those dollars should instead be used to educate children. The standard challenges that are made to school choice bills in other

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states were raised and addressed by the Legislature years ago. See Tenn. Op. Att'y Gen. No. 13-27 (Mar. 26, 2013). Because Tennessee does not have a Blaine Amendment, such challenges fail. *Id.*; see also *C.M. v. Bentley*, 13 F. Supp. 3d 1188, 1192 (M.D. Ala. 2014).

As an elected official, I take seriously my oath of office to uphold the Tennessee and U.S. Constitutions. No provision that I drafted in this Report in any way violates either constitution. Instead, the Conference Committee Report, when signed into law by the governor, will create a pilot program that will provide new and, hopefully, better educational choices to some of the neediest children in Tennessee. May God bless its results, and may God bless the children of Tennessee.

NOTICES

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 632. The House nonconcurred in Senate Amendment No. 1.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return House Bill No. 167, for further consideration.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 185, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 442, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1530, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 471. The House adopted the Conference Committee Report and made it the action of the House.

TAMMY LETZLER
Chief Clerk

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 513/SENATE BILL NO. 452**

The report was received and filed with the Clerk.

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 509. The House refused to recede from its action in nonconcurring in Senate Amendment No. 3. The Speaker appointed a Conference Committee composed of Reps. Littleton, Lamberth and DeBerry to confer with a like committee from the Senate in open conference to resolve the differences between the Bodies on House Bill No. 509.

TAMMY LETZLER
Chief Clerk

**APPOINTMENT OF SELECT COMMITTEE
CONFERENCE COMMITTEE
ON
HOUSE BILL NO. 509**

The Speaker announced the appointment of a Conference Committee composed of Senators Haile, Chairperson; Bell and Stevens to confer with a like committee from the House to resolve the differences of the two Bodies on House Bill No. 509.

MOTION

Senator Bell moved that Rule 83 be suspended for the purpose of allowing the Committee on Judiciary to meet today Wednesday, May 1, 2019, at 4:15 p.m., to hear **Senate Bills Nos. 561 and 911**; and **House Joint Resolution No. 140**, which motion prevailed by the following vote:

Ayes 24
Noes 6

Senators voting aye were: Bailey, Bell, Bowling, Crowe, Dickerson, Gresham, Haile, Hensley, Jackson, Johnson, Kyle, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally--24.

Senators voting no were: Akbari, Briggs, Gilmore, Lundberg, Robinson and Yarbro--6.

RECESS

Senator Johnson moved the Senate stand in recess until 6:00 p.m., which motion prevailed.

CALL TO ORDER

The Senate was called to order by Mr. Speaker McNally.

ROLL CALL

The Speaker declared that a quorum was present.

On motion, the roll call was dispensed with.

STANDING COMMITTEE REPORTS

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 140; also, recommend that Senate Bills Nos. 561 with amendment and 911 be referred to Committee on Finance, Ways and Means.

BELL, Chairperson
May 1, 2019

The Speaker announced that he had referred House Joint Resolution No. 140 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 561 with amendment and 911 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 251, 398 with amendment, 423, 597, 662 with amendment, 844, 925, 1231 and 1309 with amendment; and House Joint Resolution No. 452.

WATSON, Chairperson
May 1, 2019

The Speaker announced that he had referred Senate Bills Nos. 251, 398 with amendment, 423, 597, 662 with amendment, 844, 925, 1231 and 1309 with amendment; and House Joint Resolution No. 452 to the Committee on Calendar.

MOTION

Senator Johnson moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Message Calendar No. 1 with the following bills: **Senate Bills Nos. 9 and 498**; and **House Bill No. 353**, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 9 -- Tobacco, Tobacco Products -- As introduced, authorizes Knox County and Knoxville to prohibit, by local ordinance, smoking on the grounds of any playground owned or operated by the local government. Amends TCA Title 39, Chapter 17.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1551, is amended by adding the following as a new subsection:

(e) Notwithstanding subsection (a) or any other provision of this title, a local government may prohibit smoking on the grounds of a playground owned or operated by such local government by adopting a resolution or ordinance approved by a two-thirds (2/3) vote of the legislative body of the local government.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

Senator Briggs moved that the Senate nonconcur in House Amendment No. 1 to **Senate Bill No. 9**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 498 -- Alcoholic Beverages -- As introduced, authorizes leases entered into between Memphis and business owners holding a restaurant license from the alcoholic beverage commission to include provisions where the rent is calculated on gross sales, including gross sales of alcohol, of the business; prohibits a county from denying the issuance or renewal of a beer permit on the basis of a similar lease. Amends TCA Title 57, Chapter 1; Title 57, Chapter 4 and Title 57, Chapter 5.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(30)(C), is amended by deleting the subdivision and substituting instead the following:

(C) In counties with a population of more than three hundred nineteen thousand six hundred twenty-five (319,625), according to the 1980 census, but excluding those counties having a metropolitan form of government:

(i) Within a national historic landmark district or urban park center, as defined by this section, or within an easement area granted to a municipality for commercial recreation and commercial recreation facilities from the Tennessee Valley authority in the Fort Loudoun Reservoir:

(a) Restaurant licensees shall not be required to meet any requirements of this section which make food service, maintenance of a kitchen, or a dining room a prerequisite to the issuance of a restaurant permit to serve liquor by the drink; and

(b) Notwithstanding any law to the contrary, restaurant licensees may enter into leases with municipal landowners in which gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision; and

(ii) Within a sports authority facility, as defined in this section, restaurant licensees shall not be required to meet any of the requirements of subdivision (30)(A) which make food service, maintenance of a kitchen, or a dining room a prerequisite for the issuance of a permit to serve liquor by the drink;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(28)(A), is amended by deleting subdivisions (iii) and (iv) and substituting instead the following:

(iii) Such national historic landmark centers around a historic public street or right-of-way;

(iv) Such a public street or right-of-way is closed to motor vehicular traffic, whether permanently or on a regular basis; and

(v) But only to the extent that such premises are located and fronting upon such historic street and not located on or fronting upon another street or right-of-way within such national historic landmark;

SECTION 3. Tennessee Code Annotated, Section 57-5-103, is amended by adding the following new subsection:

(f) Notwithstanding any law to the contrary, no city or county shall deny the issuance or renewal of a permit upon the basis that the lease between the business and its municipal landlord includes a provision whereby gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Akbari moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 498**, which motion prevailed by the following vote:

Ayes	26
Noes	0

Senators voting aye were: Akbari, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Pody, Powers, Roberts, Robinson, Rose, Stevens, Swann, White, Yarbrow and Mr. Speaker McNally--26.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 353 -- Professions and Occupations -- As introduced, allows certain persons who receive certified occupational training as a prisoner or a student in a high school technical training class to receive equivalent credit toward an occupational license relating to the training received. Amends TCA Title 4, Chapter 6, Part 1; Title 37; Title 38; Title 41; Title 49; Title 62 and Title 63.

Senator Bowling moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 353**, which motion prevailed.

MOTION

Senator Johnson moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Message Calendar No. 2 consisting of the following bills: **Senate Bills Nos. 141, 312, 510, 557, 648 and 1107**; and **House Bill No. 1280**, which motion prevailed.

MESSAGE CALENDAR NO. 2

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 141 -- Sunset Laws -- As introduced, extends the private probation services council to June 30, 2021. Amends TCA Title 4, Chapter 29 and Title 16, Chapter 3, Part 9.

HOUSE AMENDMENT NO. 2

AMEND by inserting the following new sections immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 16-3-909(a)(3), is amended by deleting the subdivision and substituting instead the following:

(3) Establish forty (40) hours of orientation for new private probation officers and eight (8) hours of annual continuing education;

SECTION __. Tennessee Code Annotated, Section 16-3-909, is amended by adding the following as a new subsection (b) and redesignating the subsequent subsection accordingly:

(b) The council:

(1) May reinstate a license upon the payment of a renewal fee, as set by the council; and

(2) Shall establish a late renewal fee, to be equal to twenty-five percent (25%) of the registration fee.

Senator Roberts moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 141**, which motion prevailed by the following vote:

Ayes 28
Noes 0

Senators voting aye were: Akbari, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Mr. Speaker McNally moved that **Senate Bill No. 312** be placed at the heel of Message Calendar No. 2 for today, which motion prevailed.

Mr. Speaker McNally moved that **Senate Bill No. 510**, as amended, be rereferred to the Committee on Calendar, which motion prevailed.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 557/HOUSE BILL NO. 1089**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 557/HOUSE BILL NO. 1089**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1089 (Senate Bill No. 557) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment be adopted:

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 6-51-105(a), is amended by deleting the language "who reside in the territory proposed for annexation" and substituting instead the language "who reside in or own property in the territory proposed for annexation; provided, that not more than two (2) persons are entitled to vote based upon ownership of an individual tract of property, regardless of the number of owners of such property."

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Jack Johnson
/s/ Senator Frank Niceley
/s/ Senator Bo Watson

/s/ Representative Kevin Vaughn
/s/ Representative Bob Freeman
/s/ Representative Sam Whitson

Senator Johnson moved that the Conference Committee Report on **Senate Bill No. 557/House Bill No. 1089** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--31.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 648 -- Taxes, Sales -- As introduced, allocates a portion of sales and use tax revenue to certain counties in which a new event center is to be constructed. Amends TCA Title 67, Chapter 6.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following as a new subsection:

() (1) Notwithstanding the allocations provided for in subsection (a), if a new event center is to be constructed for use, in part, by a state university with an independent board of trustees in a county in which there is a population in excess of one hundred fifty thousand (150,000) in accordance with the 2010 federal census or the most recent subsequent census, and in which there is located, in whole or in part, a military base with enlisted active duty personnel in excess of twenty thousand (20,000) as of December 31, 2018, then an amount shall be apportioned and distributed to a public entity designated by the county that is responsible for the retirement of all or a portion of the original debt on such event center equal to the amount of any incremental state and local sales and use tax revenue, including any portion of local sales taxes that otherwise would be allocated for school purposes, from the sale of food and drink and other authorized goods or products sold on the premises of the event center, ticket sales, parking charges, and related services on the premises of the event center. Any such incremental tax revenues shall be applied to the original debt service related to the event center, and shall not be applied to any debt issued for the purposes of refinancing the original debt. This apportionment and distribution shall continue until the date on which the original debt relating to the event center is retired, or until the expiration of thirty (30) years, whichever is sooner. For purposes of this subdivision () (1), an event center shall include the facility in which events are held and shall also include any and all ancillary facilities such as parking facilities adjacent to the facility in which events are held.

(2) Notwithstanding subdivision () (1) to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to chapter 529, § 9 of the Public Acts of 1992,

and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) contained in chapter 856, § 4 of the Public Acts of 2002 shall be apportioned and distributed pursuant to subdivision () (1). The revenue shall continue to be allocated as provided in chapter 529 of the Public Acts of 1992 and chapter 856 of the Public Acts of 2002, respectively.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

Senator Gardenhire moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 648**, which motion prevailed by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1107 -- Traffic Safety -- As introduced, establishes requirements for the operation of electric foot scooters. Amends TCA Title 55, Chapter 1; Title 55, Chapter 10; Title 55, Chapter 12 and Title 55, Chapter 8.

HOUSE AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-1-103, is amended by deleting subsection (c) and substituting instead the following:

(c) "Motor vehicle" means every vehicle that is self-propelled, excluding electric scooters, motorized bicycles, and every vehicle that is propelled by electric power obtained from overhead trolley wires. "Motor vehicle" means any low speed vehicle or medium speed vehicle as defined in this chapter. "Motor vehicle" means any mobile home or house trailer as defined in § 55-1-105.

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following as a new, appropriately designated subdivision:

(A) "Electric scooter":

(i) Means a device weighing less than one hundred pounds (100 lbs.) that:

(a) Has handlebars and an electric motor;

(b) Is solely powered by the electric motor or human power, or both; and

(c) Has a maximum speed of no more than twenty miles per hour (20 mph) on a paved level surface when powered solely by the electric motor; and

(ii) Does not include an electric bicycle, electric personal assistive mobility device, motorcycle, or motor-driven cycle; and

(B) An electric scooter is a motor-driven vehicle, for purposes of § 55-10-401;

SECTION 3. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivision (40) and substituting instead the following:

(40) "Motor vehicle" means every vehicle, including a low speed vehicle or a medium speed vehicle that is self-propelled, excluding electric scooters, electric bicycles as defined in § 55-8-301, motorized bicycles, and every vehicle, including a low speed vehicle or a medium speed vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails;

SECTION 4. Tennessee Code Annotated, Section 55-8-101, is amended by deleting subdivision (42) and substituting instead the following:

(42) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a motor that produces no more than five (5) brake horsepower, or with a motor with a cylinder capacity not exceeding one hundred twenty-five cubic centimeters (125cc). "Motor-driven cycle" does not include an electric scooter;

SECTION 5. Tennessee Code Annotated, Title 55, Chapter 8, Part 2, is amended by adding the following as a new section:

Section 55-8-302 applies to an electric scooter and any person operating an electric scooter, including an exclusion from chapters 3 and 4 of this title, relating to titling and registration. Nothing in this section or § 55-8-302 preempts a county, municipality, or metropolitan form of government, by ordinance of its legislative body, from regulating, controlling, or banning the use and operation of electric scooters within the geographic boundaries of the county, municipality, or metropolitan government. The ordinances must be reasonably related to promotion and protection of the health, safety, and welfare of riders, operators, pedestrians, and motorists.

SECTION 6. This act shall take effect July 1, 2019, the public welfare requiring it.

Senator Dickerson moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1107**, which motion prevailed.

Ayes 31
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Gardenhire moved that **House Bill No. 1280**, as amended, be placed at the heel of Message Calendar No. 2 for today, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 312 -- Employees, Employers -- As introduced, prohibits a medical review officer from considering prescriptions issued more than six months prior to a positive confirmed drug result for purposes of determining a valid prescription and immunity from actions authorized for employers to take against employees and job applicants following such a result under drug-free workplace program. Amends TCA Title 8 and Title 50.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 9, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Issued" means the date that the licensed physician physically wrote or electronically transmitted the prescription to the pharmacy; and

(2) "Valid prescription" means a prescription that is written or electronically sent by a licensed practitioner for the individual subject to a drug test pursuant to this chapter and filled in a licensed pharmacy.

(b) Notwithstanding this chapter to the contrary, the medical review officer shall only consider prescriptions issued within six (6) months prior to a positive confirmed drug result for purposes of determining a valid prescription and immunity from actions authorized by this chapter following a positive confirmed drug result.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Watson moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 312**, which motion prevailed by the following vote:

Ayes	33
Noes	0

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Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1280 -- TennCare -- As introduced, directs the governor, through the commissioner of finance and administration, to submit a waiver amendment to the centers for medicare and medicaid services to provide TennCare II funding by means of a block grant indexed for inflation and population growth. Amends TCA Title 4; Title 33; Title 56 and Title 71.

Senator Bailey moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 1280**, which motion prevailed.

MOTION

Senator Johnson moved that Rule 19 and Rule 44 be suspended for the purpose of making and considering Message Calendar No. 3 consisting of the following bills: **Senate Bills Nos. 185, 442 and 1530**; and **House Bills Nos. 167, 471 and 632**, which motion prevailed.

MESSAGE CALENDAR NO. 3

Senator Jackson moved that **Senate Bill No. 185** be rereferred to the Committee on Calendar, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 442 -- Education -- As introduced, authorizes LEAs that receive pre-kindergarten program approval to utilize an alternative academic growth indicator approved by the state board of education and adopted by the LEA, rather than the pre-k/kindergarten growth portfolio model approved by the state board of education in the evaluation of pre-kindergarten and kindergarten teachers. Amends TCA Title 49, Chapter 6, Part 1.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-105(e), is amended by deleting the subsection and substituting instead the following:

(e)(1) LEAs that receive pre-kindergarten program approval under §§ 49-6-103 - 49-6-110 shall utilize the pre-k/kindergarten growth portfolio model approved by the state board of education, or a comparable alternative measure of student growth approved by the state board of education and adopted by the LEA, in the evaluation of pre-kindergarten and kindergarten teachers pursuant to § 49-1-302.

(2) For the 2018-2019 school year, employment termination decisions or adverse compensation decisions for pre-kindergarten or kindergarten teachers shall not be based solely on data generated by the growth portfolio model. This subdivision (e)(2) is repealed on January 1, 2020.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 1, is amended by adding the following language as a new section:

(a)(1) There is created a portfolio review committee composed of the following ten (10) members:

(A) The chair of the education committee of the house of representatives;

(B) The chair of the education committee of the senate;

(C) One (1) member of the house of representatives, to be appointed by the speaker of the house of representatives;

(D) One (1) member of the senate, to be appointed by the speaker of the senate;

(E) One (1) representative from the Tennessee Organization of School Superintendents;

(F) One (1) representative from the Tennessee school boards association;

(G) The commissioner of education, or the commissioner's designee; and

(H) One (1) pre-kindergarten or kindergarten teacher from each grand division of the state, to be appointed as follows:

(i) The speaker of the house of representatives shall appoint one (1) pre-kindergarten or kindergarten teacher from the western grand division;

(ii) The governor shall appoint one (1) pre-kindergarten or kindergarten teacher from the middle grand division; and

(iii) The speaker of the senate shall appoint one (1) teacher from the eastern grand division.

(2) The committee shall:

(A) Review the pre-k/kindergarten growth portfolio model process;

(B) Identify expectations for the pre-k/kindergarten growth portfolio model and areas of improvement for the growth portfolio model; and

(C) Make recommendations related to, at a minimum:

- (i) Ways to streamline the growth portfolio model rubrics and processes;
- (ii) Opportunities for additional training and resources for teachers using the growth portfolio model;
- (iii) Ways to improve the functionality of the growth portfolio platform;
- (iv) Opportunities for additional standards training; and
- (v) Ways to improve the peer review process.

(3) The governor shall call the first meeting of the committee.

(4) The committee shall also study and consider alternative options for measuring student growth in pre-kindergarten and kindergarten.

(5) The department of education shall identify additional opportunities for educators and stakeholders throughout this state to provide feedback on the growth portfolio model on an ongoing basis.

(b) Members of the committee shall not receive compensation for serving on the committee, but may be reimbursed for attending committee meetings in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(c) The committee shall report its findings and recommendations to the education committee of the senate and the education committee of the house of representatives no later than August 1, 2019, at which time the committee ceases to exist.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Bell moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 442**, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Rose moved that **Senate Bill No. 1530** be placed at the heel of Message Calendar No. 3 for today, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 167 -- Criminal Offenses -- As introduced, requires a mandatory 30-day sentence for theft of a firearm; creates the Class D felony offense of bringing a telecommunication device into a penal institution; revises other various provisions of criminal law. Amends TCA Title 39; Title 40 and Title 55, as amended.

Senator Stevens moved to lift from the table a motion to reconsider on **House Bill No. 167**, as amended, which motion prevailed.

Senator Stevens moved that the Senate reconsider its action in passing **House Bill No. 167**, as amended, which motion prevailed.

Senator Stevens moved to amend as follows:

AMENDMENT NO. 4

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-1-106, is amended by adding the following language to the end of the section:

The judges of chancery and circuit courts have statewide jurisdiction to issue search warrants pursuant to chapter 6, part 1 of this title in any district.

Pursuant to Rule 39(3), Amendment No. 4 was adopted by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

Thereupon, **House Bill No. 167**, as amended, was repassed on third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 471/SENATE BILL NO. 132**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE
CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 471/SENATE BILL NO. 132**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 471 (Senate Bill No. 132) has met and recommends that all amendments be deleted.

The Committee further recommends that the following amendment (#9059) be adopted:

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-240(a), is amended by deleting subdivision (13).

SECTION 2. Tennessee Code Annotated, Section 4-29-243(a), is amended by inserting the following language as a new, appropriately designated subdivision:

() Bureau of TennCare within the department of finance and administration, pursuant to Executive Order No. 23 on October 19, 1999;

SECTION 3. The bureau of TennCare within the department of finance and administration shall appear before the government operations committee of the house of Representatives and the TennCare subcommittee of the house of Representatives no later than December 31, 2019, to update the committees on the bureau's progress in addressing the findings set forth in the December 2018 performance audit report and on the six month follow-up report issued by the division of state audit. The bureau of TennCare shall also respond to questions by the committees about the bureau, including, but not limited to, its authority, duties, operation, programs, and services.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

/s/ Senator Mike Bell
/s/ Senator Kerry Roberts
/s/ Senator Sara Kyle

/s/ Representative Martin Daniel
/s/ Representative Matthew Hill
Representative Mike Stewart

Senator Roberts moved that the Conference Committee Report on **House Bill No. 471/Senate Bill No. 132** be adopted and made the action of the Senate, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 632 -- Teachers, Principals and School Personnel -- As introduced, allows a teacher who demonstrates an overall performance effectiveness level of "above expectations" or "significantly above expectations" for three consecutive years to receive an overall evaluation score of "above expectations" in certain years under certain circumstances. Amends TCA Title 49.

Senator Bowling moved that the Senate refuse to recede from its action in adopting Senate Amendment No. 1 to **House Bill No. 632**, which motion prevailed.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 1530 -- Education, Higher -- As introduced, extends a 25 percent discount on the tuition to any state institution of higher education to every child under 24 years of age whose parent died while employed as a full-time certified teacher in a public school in Tennessee or as a full-time technology coordinator in an LEA in Tennessee. Amends TCA Title 8 and Title 49, Chapter 7.

HOUSE AMENDMENT NO. 2

AMEND by deleting the language "credible service" in subdivision (a)(1)(C) in Section 2 and substituting instead the language "creditable service".

Senator Rose moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 1530**, which motion prevailed by the following vote:

Ayes	31
Noes	1
Present, not voting . . .	1

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally--31.

Senator voting no was: Gardenhire--1.

Senator present and not voting was: Yarbro--1.

A motion to reconsider was tabled.

MOTION

Senator Haile moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Resolution No. 87**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Resolution No. 87 by Senator Haile.

Memorials, Recognition -- Karen A. Hernan.

On motion of Senator Haile, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Resolution No. 87** was adopted.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senate Bill No. 1259 -- Education -- As introduced, replaces the department of economic and community development with the Tennessee higher education commission as the state agency charged with administering grants related to work-based learning programs; revises related provisions. Amends TCA Title 49, Chapter 11; Title 49, Chapter 7 and Title 50.

On motion, Senate Bill No. 1259 was made to conform with **House Bill No. 740**.

On motion, House Bill No. 740, on same subject, was substituted for Senate Bill No. 1259.

Senator Gresham moved that Amendment No. 1 be placed at the heel of the Amendments, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Gresham, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 740** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1395 -- Firefighters -- As introduced, creates a program managed by the commissioner of commerce and insurance to annually award grants to volunteer fire departments for the purchase of firefighting equipment or to meet local match requirements for federal grants for the purchase of firefighting equipment and training. Amends TCA Title 68, Chapter 102.

On motion, Senate Bill No. 1395 was made to conform with **House Bill No. 518**.

On motion, House Bill No. 518, on same subject, was substituted for Senate Bill No. 1395.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting subsections (c) and (d) in Section 1 and substituting instead the following:

(c) The commissioner of commerce and insurance shall promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to establish guidelines for evaluating grant requests and determining which volunteer fire departments will receive grants.

(d) The commissioner of commerce and insurance shall decide which grants to award and disburse the grants to the selected volunteer fire departments. The total amount of grants awarded each year must be equally divided among the three (3) grand divisions of the state. The commissioner shall endeavor to expend all funds appropriated to the program each year, and any funds remaining will not revert to the general fund but remain available for expenditure in subsequent fiscal years.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 518**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1379 -- Scholarships and Financial Aid -- As introduced, increases, from \$600 to \$1,000, the amount of a Tennessee middle college scholarship awarded each semester to an eligible student for full-time attendance. Amends TCA Title 49, Chapter 4, Part 9.

On motion, Senate Bill No. 1379 was made to conform with **House Bill No. 745**.

On motion, House Bill No. 745, on same subject, was substituted for Senate Bill No. 1379.

House Bill No. 745 passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1403 -- Child Abuse -- As introduced, requires the commissioner of children's services to provide a report to the district attorney general with jurisdiction following a fatality or near fatality of certain children; requires an immediate investigation into a report of child abuse from a party tasked with the education or health and welfare of the child. Amends TCA Title 37.

On motion, Senate Bill No. 1403 was made to conform with **House Bill No. 867**.

On motion, House Bill No. 867, on same subject, was substituted for Senate Bill No. 1403.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 867** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1442 -- Firefighters -- As introduced, creates a presumption that certain conditions or impairments of full-time firefighters caused by certain cancers occurred in the course of employment unless the contrary is shown by competent medical evidence. Amends TCA Title 7, Chapter 51, Part 2.

On motion, Senate Bill No. 1442 was made to conform with **House Bill No. 316**.

On motion, House Bill No. 316, on same subject, was substituted for Senate Bill No. 1442.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by inserting the following as a new Section 1 and redesignating the remaining bill sections accordingly:

SECTION 1. This act shall be known and may be cited as the "Barry Brady Act."

On motion, Amendment No. 2 was adopted.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

Thereupon, **House Bill No. 316**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 1458 -- Taxes -- As introduced, requires the commissioner of revenue to make a thorough study and investigation of the tax laws of other states. Amends TCA Title 4; Title 65 and Title 67.

On motion, Senate Bill No. 1458 was made to conform with **House Bill No. 605**.

On motion, House Bill No. 605, on same subject, was substituted for Senate Bill No. 1458.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 605** passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

House Bill No. 1511 -- Lebanon -- Subject to local approval, increases from 2 percent to 5 percent the privilege tax that may be levied on the occupancy by a transient of a hotel in Lebanon, subject to a two-thirds vote of the Lebanon city council approving the increase. Amends Chapter 208 of the Private Acts of 1980.

Senator Pody moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 208 of the Private Acts of 1980, and any other acts amendatory thereto, is amended by deleting Section 2 and substituting instead the following:

SECTION 2. Tax authorized. The City of Lebanon, Tennessee, is hereby authorized to levy a privilege tax upon the privilege of occupancy in any hotel by a

transient in an amount not to exceed five percent (5%) of the consideration charged by the operator. Any increase up to five percent (5%) must be approved by a two-thirds (2/3) vote of the Lebanon City Council. All proceeds received by the city from the tax must be used solely to promote tourism and economic development in the city and for no other purpose. The ordinance must set forth the manner of collection and administration of the privilege tax.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the City Council of the City of Lebanon. Its approval or nonapproval shall be proclaimed by the City Council of the City of Lebanon and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 1511**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Resolution No. 76 -- Memorials, Interns -- Katie Hawkins.

On motion, **Senate Resolution No. 76** was adopted.

A motion to reconsider was tabled.

Senate Bill No. 215 -- Probation and Parole -- As introduced, prevents an inmate convicted of a Class A, B, or C felony from using sentence reduction credits until the minimum release eligibility date applicable to the inmate is reached; establishes presumption that inmate convicted of Class E or Class D nonviolent felony is to be paroled upon reaching release eligibility date unless good cause is shown as to why inmate should not be released. Amends TCA Title 40 and Title 41.

On motion, Senate Bill No. 215 was made to conform with **House Bill No. 197**.

On motion, House Bill No. 197, on same subject, was substituted for Senate Bill No. 215.

Senator Lundberg moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the effective date section and substituting instead the following:

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it, and shall apply to offenses committed on or after that date.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 197**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 250 -- Public Health -- As introduced, removes certain limitations on training centers for emergency medical technician/advanced emergency medical technician courses. Amends TCA Title 68, Chapter 140, Part 3.

On motion, Senate Bill No. 250 was made to conform with **House Bill No. 228**.

On motion, House Bill No. 228, on same subject, was substituted for Senate Bill No. 250.

On motion of Senator Crowe, Amendment No. 1 was withdrawn.

Senator Watson moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following language to the end of subsection (b) in Section 1:

When considering a pilot EMT/AEMT training center application under this section, the board shall consider whether an EMT/AEMT training center exists in the relevant service area in which the pilot EMT/AEMT training center is seeking to be located.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 228**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Johnson, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 308 -- Utilities, Utility Districts -- As introduced, requires utilities participating in utility bill round-up programs to provide notice to customers of program and customer rights no later than November 1, 2019; permits utilities to enroll new customers after January 1, 2020, only upon receipt of customer consent; requires utilities to remove customer from program upon receiving opt out notice. Amends TCA Title 5; Title 6; Title 7; Title 45; Title 47, Chapter 18 and Title 65.

On motion, Senate Bill No. 308 was made to conform with **House Bill No. 377**.

On motion, House Bill No. 377, on same subject, was substituted for Senate Bill No. 308.

On motion of Senator Dickerson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 377** passed its third and final consideration by the following vote:

Ayes	31
Noes	2

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--31.

Senators voting no were: Kyle and Southerland--2.

A motion to reconsider was tabled.

Senator Bell moved that **Senate Bill No. 453** be rereferred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 544 -- Sexual Offenders -- As introduced, makes an offender sentenced pursuant to judicial diversion eligible for removal from the sex offender registry upon completion of judicial diversion. Amends TCA Title 40, Chapter 35 and Title 40, Chapter 39.

On motion, Senate Bill No. 544 was made to conform with **House Bill No. 624**.

On motion, House Bill No. 624, on same subject, was substituted for Senate Bill No. 544.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

Senator Gardenhire moved to amend as follows:

AMENDMENT NO. 2

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-39-207(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Except as otherwise provided in subdivision (a)(3), unless a plea was taken in conjunction with § 40-35-313, no sooner than ten (10) years after termination of active supervision on probation, parole, or any other alternative to incarceration, or no sooner than ten (10) years after discharge from incarceration without supervision, an offender required to register under this part may file a request for termination of registration requirements with TBI headquarters in Nashville. If the person is required to register under this part due to a plea taken in conjunction with § 40-35-313, an offender required to register under this part may file a request for termination of registration upon successful completion of a term of judicial diversion pursuant to § 40-35-313 and upon receiving an order from a court of competent jurisdiction signifying the successful completion of the term of judicial diversion and the dismissal of charges pursuant to § 40-35-313.

SECTION 2. Tennessee Code Annotated, Section 40-39-207(c), is amended by deleting the subsection and substituting instead the following:

(c) The TBI shall remove an offender's name from the SOR and notify the offender that the offender is no longer required to comply with this part if it is determined that:

(1) The offender has successfully completed a term of judicial diversion, pursuant to § 40-35-313, for an offense under § 39-13-505 or § 39-13-506, for which the person is required to register under this part;

(2) The offender previously entered a term of judicial diversion, pursuant to § 40-35-313, prior to the effective date of this act for the offense for which the person is required to register under this part and subsequently successfully completes the term of judicial diversion; or

(3) The offender has not been convicted of any additional sexual offense or violent sexual offense during the ten-year period and the offender has substantially complied with this part and former part 1 of this chapter [repealed].

SECTION 3. This act is declared to be remedial in nature and to that end applies to any person sentenced pursuant to § 40-35-313 prior to the effective date of this act. This act does not create an affirmative duty for the Tennessee bureau of investigation (TBI) to review its records or notify any person to whom this act applies; however, upon request, the TBI shall verify the record of any person to whom this act applies and, if appropriate, shall remove the person's name from the registry and notify the person that the person is no longer required to comply with the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Senator Gardenhire moved to amend as follows:

AMENDMENT NO. 3

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-39-207(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Except as otherwise provided in subdivision (a)(3), unless a plea was taken in conjunction with § 40-35-313, no sooner than ten (10) years after termination of active supervision on probation, parole, or any other alternative to incarceration, or no sooner than ten (10) years after discharge from incarceration without supervision, an offender required to register under this part may file a request for termination of registration requirements with TBI headquarters in Nashville. If the person is required to register under this part due to a plea taken in conjunction with § 40-35-313, an offender required to register under this part may file a request for termination of registration upon successful completion of a term of judicial diversion pursuant to § 40-35-313 and upon receiving an order from a court of competent jurisdiction signifying the successful completion of the term of judicial diversion and the dismissal of charges pursuant to § 40-35-313.

SECTION 2. Tennessee Code Annotated, Section 40-39-207(c), is amended by deleting the subsection and substituting instead the following:

(c) The TBI shall remove an offender's name from the SOR and notify the offender that the offender is no longer required to comply with this part if it is determined that:

(1) The offender has successfully completed a term of judicial diversion, pursuant to § 40-35-313, for an offense under § 39-13-505 or § 39-13-506(a) or (b), for which the person is required to register under this part;

(2) The offender previously entered a term of judicial diversion, pursuant to § 40-35-313, prior to the effective date of this act for the offense for which the person is required to register under this part and subsequently successfully completes the term of judicial diversion; or

(3) The offender has not been convicted of any additional sexual offense or violent sexual offense during the ten-year period and the offender has substantially complied with this part and former part 1 of this chapter [repealed].

SECTION 3. This act is declared to be remedial in nature and to that end applies to any person sentenced pursuant to § 40-35-313 prior to the effective date of this act. This act does not create an affirmative duty for the Tennessee bureau of investigation (TBI) to review its records or notify any person to whom this act applies; however, upon request, the TBI shall verify the record of any person to whom this act applies and, if appropriate, shall remove the person's name from the registry and notify the person that the person is no longer required to comply with the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Gardenhire moved that **House Bill No. 624**, as amended, be moved four places down on Calendar No. 1 for today, which motion prevailed.

Senate Bill No. 1361 -- Licenses -- As introduced, requires the Tennessee auctioneer commission to post the names of persons whose licenses have been suspended, revoked, or not renewed as a result of fraud and other violations. Amends TCA Title 35, Chapter 5; Title 55, Chapter 17, Part 1 and Title 62, Chapter 19.

On motion, Senate Bill No. 1361 was made to conform with **House Bill No. 797**.

On motion, House Bill No. 797, on same subject, was substituted for Senate Bill No. 1361.

Senator Bailey moved that Amendment No. 1 be placed behind Amendment No. 2, which motion prevailed.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 797** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 1499 -- Attorney General and Reporter -- As introduced, expands the attorney general and reporter's duties to include representation of an LEA or certain LEA employees in a court or administrative tribunal arising out of the adoption of a policy requiring students, faculty, and staff to utilize the restroom, locker room, or other facility that corresponds to that individual's biological sex. Amends TCA Title 8, Chapter 6.

On motion, Senate Bill No. 1499 was made to conform with **House Bill No. 1274**.

On motion, House Bill No. 1274, on same subject, was substituted for Senate Bill No. 1499.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

Senator Bell moved that **House Bill No. 1274** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senator Gresham moved that **Senate Bill No. 187** be placed on the Calendar for Thursday, May 2, 2019, which motion prevailed.

Senator Gardenhire moved that **Senate Bill No. 325** be placed at the heel of the final Calendar, which motion prevailed.

FURTHER ACTION ON HOUSE BILL NO. 624, AS AMENDED

On motion, Amendment No. 3 was adopted.

Thereupon, **House Bill No. 624**, as amended, passed its third and final consideration by the following vote:

Ayes	21
Noes	5
Present, not voting . . .	2

Senators voting aye were: Bailey, Bell, Bowling, Dickerson, Gardenhire, Gresham, Haile, Hensley, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Southerland, Stevens, Watson, Yarbrow and Mr. Speaker McNally--21.

Senators voting no were: Briggs, Robinson, Rose, Swann and White--5.

Senators present and not voting were: Akbari and Gilmore--2.

A motion to reconsider was tabled.

Senate Bill No. 667 -- Courts -- As introduced, sets the minimum compensation payable to officially designated and auxiliary court reporters designated as licensed court reporters by the Tennessee board of court reporting at the rates of \$350 per full-day appearance and \$175 per half-day appearance. Amends TCA Title 8, Chapter 23; Title 20, Chapter 9, Part 6; Title 20, Chapter 9, Part 1 and Title 40, Chapter 14, Part 3.

On motion, Senate Bill No. 667 was made to conform with **House Bill No. 729**.

On motion, House Bill No. 729, on same subject, was substituted for Senate Bill No. 667.

On motion of Senator Bell, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 729** passed its third and final consideration by the following vote:

Ayes	26
Noes	7

Senators voting aye were: Akbari, Bailey, Bowling, Briggs, Crowe, Dickerson, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Massey, Pody, Powers, Reeves, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--26.

Senators voting no were: Bell, Gardenhire, Gresham, Lundberg, Niceley, Roberts and Rose--7.

A motion to reconsider was tabled.

CALENDAR NO. 2

Senate Bill No. 251 -- Tennessee Bureau of Investigation -- As introduced, transfers the fire investigations section from the department of commerce and insurance to the bureau. Amends TCA Title 4; Title 38, Chapter 6 and Title 68, Chapter 102.

On motion, Senate Bill No. 251 was made to conform with **House Bill No. 174**.

On motion, House Bill No. 174, on same subject, was substituted for Senate Bill No. 251.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 174** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 398 -- Taxes -- As introduced, clarifies that the commissioner of revenue's annual report on tax laws of other states is to be transmitted to the chief clerks of the senate and house of representatives and to the legislative librarian; authorizes the report to be transmitted electronically. Amends TCA Title 67; Chapter 72 of the Public Acts of 2011; Chapter 193 of the Public Acts of 2017; Chapter 273 of the Public Acts of 2015; Chapter 452 of the Public Acts of 2017; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007.

Senator Yarbrow declared Rule 13 on **Senate Bill No. 398**.

Senator Dickerson declared Rule 13 on **Senate Bill No. 398**.

Senator Haile declared Rule 13 on **Senate Bill No. 398**.

Senator Kyle declared Rule 13 on **Senate Bill No. 398**.

Senator Stevens declared Rule 13 on **Senate Bill No. 398**.

Senator Akbari declared Rule 13 on **Senate Bill No. 398**.

Senator Roberts declared Rule 13 on **Senate Bill No. 398**.

Senator Briggs declared Rule 13 on **Senate Bill No. 398**.

Senator Reeves declared Rule 13 on **Senate Bill No. 398**.

Mr. Speaker McNally declared Rule 13 on **Senate Bill No. 398**.

Senator White declared Rule 13 on **Senate Bill No. 398**.

Senator Yager declared Rule 13 on **Senate Bill No. 398**.

Senator Kelsey declared Rule 13 on **Senate Bill No. 398**.

On motion, Senate Bill No. 398 was made to conform with **House Bill No. 1262**.

On motion, House Bill No. 1262, on same subject, was substituted for Senate Bill No. 398.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1262** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 423 -- Taxes, Privilege -- As introduced, eliminates the special privilege tax on ammunition. Amends TCA Section 8-8-201 and Title 70, Chapter 3.

On motion, Senate Bill No. 423 was made to conform with **House Bill No. 494**.

On motion, House Bill No. 494, on same subject, was substituted for Senate Bill No. 423.

House Bill No. 494 passed its third and final consideration by the following vote:

Ayes	27
Noes	0
Present, not voting . . .	6

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally--27.

Senators present and not voting were: Akbari, Gilmore, Kyle, Robinson, Southerland and Yarbro--6.

A motion to reconsider was tabled.

Senate Bill No. 597 -- Criminal Offenses -- As introduced, creates the Class C felony offense of communicating a threat of public harm; authorizes juvenile detention for juveniles communicating a threat of public harm. Amends TCA Title 37; Title 39, Chapter 13; Title 39, Chapter 17 and Title 40, Chapter 35.

Senate Bill No. 597 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 662 -- Federal Aid -- As introduced, requires certain state agencies and political subdivisions to prepare and submit reports to the department of finance and administration regarding the effects of and plans for reductions in federal funding. Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 9.

On motion, Senate Bill No. 662 was made to conform with **House Bill No. 1270**.

On motion, House Bill No. 1270, on same subject, was substituted for Senate Bill No. 662.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1270** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 844 -- Veterans -- As enacted, eliminates the fee for interment of an eligible veteran's spouse in a state veterans' cemetery. Amends TCA Title 46, Chapter 6.

On motion, Senate Bill No. 844 was made to conform with **House Bill No. 1187**.

On motion, House Bill No. 1187, on same subject, was substituted for Senate Bill No. 844.

House Bill No. 1187 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey,

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

Niceley, Pody, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 925 -- Taxes, Sales -- As introduced, expands the exemption from sales tax on periodicals distributed twice monthly or on a biweekly or more frequent basis to periodicals distributed no less frequently than monthly. Amends TCA Title 67.

On motion, Senate Bill No. 925 was made to conform with **House Bill No. 899**.

On motion, House Bill No. 899, on same subject, was substituted for Senate Bill No. 925.

House Bill No. 899 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 1231** be placed at the heel of Calendar No. 2 for today, which motion prevailed.

Senate Bill No. 1309 -- Taxes, Sales -- As introduced, authorizes the commissioner of revenue to give notice of the amount of any sales and use tax delinquency by certified mail to all persons having in their possession or under their control any credits or other personal property belonging to the dealer who is delinquent. Amends TCA Title 67; Title 68 and Title 69.

On motion, Senate Bill No. 1309 was made to conform with **House Bill No. 1441**.

On motion, House Bill No. 1441, on same subject, was substituted for Senate Bill No. 1309.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

On motion of Senator Watson, Amendment No. 2 was withdrawn.

Thereupon, **House Bill No. 1441** passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Robinson, Rose, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally--33.

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A motion to reconsider was tabled.

House Joint Resolution No. 452 -- Memorials, Public Service -- President Trump, U.S.-Mexico-Canada Agreement.

House Joint Resolution No. 452 was concurred in by the following vote:

Ayes	28
Noes	3
Present, not voting . . .	2

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Rose, Southerland, Stevens, Swann, Watson, White, Yager and Mr. Speaker McNally--28.

Senators voting no were: Akbari, Kyle and Robinson--3.

Senators present and not voting were: Gilmore and Yarbrow--2.

A motion to reconsider was tabled.

CALENDAR NO. 1

Senator Dickerson moved that **House Bill No. 1274** be rereferred to the Committee on State and Local Government, which motion prevailed.

MOTION

Senator Johnson moved the Proposed Schedule for the week of April 29, 2019, as amended, be adopted and made the action of the Senate, which motion prevailed.

**TENNESSEE STATE SENATE
111th GENERAL ASSEMBLY**

**SCHEDULE
FOR THE WEEK OF APRIL 29, 2019**

MONDAY – APRIL 29, 2019

11:00 a.m.	Finance, Ways & Means Committee
3:00 p.m.	Joint Convention – House Chamber
3:30 p.m.	Session – Senate Chamber

TUESDAY – APRIL 30, 2019

8:30 a.m.	Session – Senate Chamber
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WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

1:00 p.m.

Finance, Ways & Means Committee

WEDNESDAY – MAY 1, 2019

8:00 a.m.

Conference Committee HB 939 - Senate Hearing Room I

9:30 a.m.

Finance, Ways & Means Committee

1:30 p.m.

Session – Senate Chamber

THURSDAY – MAY 2, 2019

8:00 a.m.

Conference Committee HB 509 - House Hearing Room I

9:00 a.m.

Conference Committee HB 1233 - House Hearing Room I

9:30 a.m.

Finance, Ways & Means Committee

10:30 a.m.

Session – Senate Chamber

MOTION

Senator Akbari moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 637**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 637 by Senator Akbari.
Memorials, Recognition -- Jarvis Greer.

On motion of Senator Akbari, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 637** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Akbari moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 639**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 639 by Senator Akbari.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

Memorials, Personal Occasion -- Representative Barbara Cooper, 90th Birthday.

On motion of Senator Akbari, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 639** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Akbari moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 638**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 638 by Senator Akbari.

Memorials, Recognition -- Dr. Alexander A. Akbari.

On motion of Senator Akbari, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 638** was adopted.

A motion to reconsider was tabled.

MOTION

Senator Watson moved that Rule 83 be suspended for the purpose of allowing the Committee on Finance, Ways and Means to meet Thursday, May 2, 2019, to consider **Senate Bills Nos. 537, 561, 705, 911 and 1434**, which motion prevailed.

NOTICE

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 565. The House nonconcurred in Senate Amendment No. 2.

TAMMY LETZLER
Chief Clerk

MOTION

On motion of Senators Massey and Rose, their names were added as sponsors of **Senate Bill No. 10**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 215**.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

On motion of Mr. Speaker McNally, her name was added as sponsor of **Senate Bill No. 257**.

On motion of Senators Powers, Rose and Yager, their names were added as sponsors of **Senate Bill No. 310**.

On motion of Senators Bowling, Dickerson, Bailey, Gresham, Massey, Pody, Powers, Reeves, Roberts, Rose and White, their names were added as sponsors of **Senate Bill No. 398**.

On motion of Senators Bailey, Bowling, Gresham, Jackson, Pody, Powers and Reeves, their names were added as sponsors of **Senate Bill No. 423**.

On motion of Senators Bowling, Hensley, Powers, Reeves, Rose, White, Briggs and Yager, their names were added as sponsors of **Senate Bill No. 476**.

On motion of Senators Bailey, Hensley and Powers, their names were added as sponsors of **Senate Bill No. 517**.

On motion of Senator Gilmore, her name was added as sponsor of **Senate Bill No. 571; and House Joint Resolution No. 642**.

On motion of Senators Bell, Haile, Hensley, Massey and Yager, their names were added as sponsors of **Senate Bill No. 579**.

On motion of Senator Akbari, her name was added as sponsor of **Senate Bills Nos. 604 and 1046**.

On motion of Senators Bowling, Crowe, Hensley, Massey, Niceley, Pody, Rose and Southerland, their names were added as sponsors of **Senate Bill No. 650**.

On motion of Senators Akbari and Yarbrow, their names were added as sponsors of **Senate Bill No. 667**.

On motion of Senators Akbari, Haile and Bowling, their names were added as sponsors of **Senate Bill No. 764**.

On motion of Senators Akbari, Lundberg, Powers, Rose, White, Yager and Yarbrow, their names were added as sponsors of **Senate Bill No. 844**.

On motion of Senators Massey, Rose and Yager, their names were added as sponsors of **Senate Bill No. 1039**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 1231**.

On motion of Senators Akbari, Crowe, Gilmore, Niceley, Robinson, Rose, Briggs and Yager, their names were added as sponsors of **Senate Bill No. 1252**.

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 1309**.

On motion of Senators Akbari, Haile, Massey, Rose, Southerland, Hensley and Powers, their names were added as sponsors of **Senate Bill No. 1379**.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

On motion of Senators Haile, Massey, Southerland, Bailey, Bowling, Gresham, Powers and Mr. Speaker McNally, their names were added as sponsors of **Senate Bill No. 1395**.

On motion of Senators Crowe and Niceley, their names were added as sponsors of **Senate Bill No. 1422**.

On motion of Senators Lundberg, Akbari, Massey, Reeves, Rose, Southerland, Bell, Bowling, Briggs, Dickerson, Gresham, Hensley, Jackson, Pody, Powers and Yarbrow, their names were added as sponsors of **Senate Bill No. 1442**.

On motion of Senators Reeves, Rose, Southerland, White, Hensley, Pody and Yager, their names were added as sponsors of **Senate Bill No. 1458**.

On motion of Senators Rose and Gresham, their names were added as sponsors of **Senate Bill No. 1499**.

On motion of Senator Massey, her name was added as sponsor of **Senate Joint Resolution No. 613; and Senate Resolutions Nos. 83 and 84**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Joint Resolution No. 632**.

On motion of Senators Crowe, Lundberg, Jackson and Rose, their names were added as sponsors of **House Joint Resolution No. 452**.

On motion of Senator Rose, his name was added as sponsor of **House Joint Resolutions Nos. 627, 628, 637, 638 and 639**.

On motion of Senators Akbari, Kelsey, Kyle, Robinson, Rose, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Lundberg, Massey, Niceley, Pody, Powers, Reeves, Roberts, Southerland, Stevens, Swann, Watson, White, Yager, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolutions Nos. 629, 630 and 631**.

On motion of Senators Crowe, Massey and Southerland, their names were added as sponsors of **House Joint Resolution No. 632**.

On motion of Senators Haile and Pody, their names were added as sponsors of **House Joint Resolutions Nos. 633 and 634**.

On motion of Senator Pody, his name was added as sponsor of **House Joint Resolution No. 635**.

On motion of Senator Hensley, his name was added as sponsor of **House Joint Resolution No. 636**.

On motion of Senators Reeves and White, their names were added as sponsors of **House Joint Resolutions Nos. 640 and 641**.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

On motion of Senators Gilmore and Yarbro, their names were added as sponsors of **House Joint Resolutions Nos. 646 and 647.**

ENGROSSED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Joint Resolutions Nos. 613, 614, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 630, 631, 632, 633, 634, 635 and 636; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 605, passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 740, passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 867 and 1232, passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1542, passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1543, passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 132, adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646 and 647; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 648, 649, 650, 651, 652, 653 and 654; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 63, 95, 281, 432, 679, 691, 861, 1238, 1268, 1347, 1371 and 1455; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 583, 584, 585, 586, 587, 589, 590, 591, 592, 593, 594, 595, 596, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612 and 629; concurred in by the House.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 613, 614, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 630, 631, 632, 633, 634, 635 and 636; concurred in by the House.

TAMMY LETZLER
Chief Clerk

ENROLLED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 28, 134, 264, 276, 425, 624, 626, 633, 649, 888, 1119, 1122, 1135, 1137, 1163 and 1355; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 267, 272, 309, 408, 467 and 479; and Senate Joint Resolutions Nos. 402, 452, 530, 531, 532, 588, 597, 598, 599 and 615; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bill No. 625, and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 469, 533, 534, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 577, 578, 579, 580, 581 and 582; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON
Deputy Chief Clerk

ENROLLED BILLS

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Resolutions Nos. 22, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 78, 79 and 80; and find same correctly enrolled and ready for the signature of the Speaker.

ALAN WHITTINGTON
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1151, for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 1539, for the signature of the Speaker.

TAMMY LETZLER
Chief Clerk

SIGNED

May 1, 2019

The Speaker announced that he had signed the following: Senate Bills Nos. 28, 134, 264, 276, 425, 624, 625, 626, 633, 649, 888, 1119, 1122, 1135, 1137, 1163 and 1355.

SIGNED

May 1, 2019

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 402, 452, 530, 531, 532, 588, 597, 598, 599 and 615.

SIGNED

May 1, 2019

The Speaker announced that he had signed the following: Senate Resolutions Nos. 22, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 77, 78, 79 and 80.

SIGNED

May 1, 2019

The Speaker announced that he had signed the following: House Bills Nos. 108, 190, 448, 451, 464, 474, 539, 621, 650, 676, 710, 815, 1005, 1079, 1165, 1230, 1324, 1328, 1500, 1515, 1516, 1519, 1520, 1521, 1525, 1526, 1527, 1528, 1529 and 1539.

SIGNED

May 1, 2019

The Speaker announced that he had signed the following: House Bill No. 1151.

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 267, 272, 309, 408, 447, 467, 479, 540, 659, 801, 1237 and 1417; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

MESSAGE FROM THE HOUSE

May 1, 2019

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 402, 452, 530, 531, 532, 588, 597, 598, 599 and 615; signed by the Speaker.

TAMMY LETZLER
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 267, 272, 309, 408, 447, 467, 479, 540, 659, 801, 1237 and 1417; for his action.

WEDNESDAY, MAY 1, 2019 -- 34TH LEGISLATIVE DAY

ALAN WHITTINGTON
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK
May 1, 2019

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 402, 452, 530, 531, 532, 588, 597, 598, 599 and 615; for his action.

ALAN WHITTINGTON
Deputy Chief Clerk

ADJOURNMENT

Senator Johnson moved the Senate adjourn until 10:30 a.m., Thursday, May 2, 2019, which motion prevailed.